UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

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August 16, 2017

Honorable Nathanael M. Cousins
U.S. District Court
Northern District of California
Courtroom 7 – 4th Floor
280 South 1st Street
San Jose, CA 95113

Re: *Federal Trade Commission v. Qualcomm Incorporated*
Case No. 5:17-cv-00220

Dear Judge Cousins:

We submit this letter and exhibits pursuant to the Court's August 9, 2017 Order, ECF No. 155, regarding the parties' Joint Discovery Letter Brief, ECF No. 152.

Exhibit 1 is a privilege log identifying documents over which the Federal Trade Commission ("FTC") is asserting the informant's privilege. Over the past week, the FTC has subjected each document that it had provisionally identified as privileged to multiple rounds of additional review, and has undertaken to remove from the log duplicates and documents that can be produced without disclosing the identity of an informant. The FTC will produce non-privileged documents to Qualcomm. As explained during the August 9, 2017 hearing, the FTC is still reviewing documents for production and may identify additional documents protected by the informant's privilege.

Exhibit 2 is a supplemental letter from the European Commission Director-General for Competition opposing the production to Qualcomm of certain third-party responses to requests for information issued in ongoing antitrust proceedings against Qualcomm in Europe.

We understand that the Korea Fair Trade Commission does not wish to make an additional submission to the Court.

Sincerely,

/s/ Jennifer Milici

Jennifer Milici
Counsel for Plaintiff Federal Trade Commission