IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION, *et al.*, Plaintiffs, v. **STAPLES, INC.** and **OFFICE DEPOT, INC.**, Defendants.	Civil Action No. 1:15 -cv- 02115

~~[PROPOSED]~~ TEMPORARY RESTRAINING ORDER

WHEREAS, Plaintiff, the Federal Trade Commission (the "Commission"), filed its Complaint in this matter on December 7, 2015, seeking, among other relief, a temporary restraining order and preliminary injunction enjoining Staples, Inc. from acquiring Office Depot, Inc. (the "Proposed Merger"); and

WHEREAS, in the absence of temporary relief, Defendant Staples, Inc. would be free to consummate the proposed acquisition as of 12:01 a.m. on December 9, 2015; and

WHEREAS, the parties have agreed that Defendants will not consummate the proposed merger until four business days after the Court rules on the Commission's motion for a preliminary injunction, pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b);

NOW, THEREFORE, IT IS

ORDERED, that Staples, Inc. and Office Depot, Inc. shall not consummate the Proposed Merger, or otherwise effect a combination of Staples, Inc. and Office Depot, Inc., until four business days after the Court rules on the Commission's motion for a preliminary injunction,

pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b); and it is further

ORDERED, that in connection with the paragraph immediately above, Staples, Inc. and Office Depot, Inc. shall take any and all necessary steps to prevent any of their officers, directors, domestic or foreign agents, divisions, subsidiaries, affiliates, partnerships, or joint ventures from consummating, directly or indirectly, any such merger, or otherwise effecting any combination between Staples, Inc. and Office Depot, Inc.; and it is further

ORDERED, that the parties shall appear before this Court at Courtroom No. 24A, on the 17 day of December, 2015, at 10:00 a.m./p.m. for a status conference.

ISSUED this 8 day of December, 2015, at 5:35 a.m./p.m.

SO ORDERED, this 8 day of December, 2015.

12/8/15

United States District Court Judge