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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION, Plaintiff, vs. LENDINGCLUB CORPORATION d/b/a Lending Club, Defendant.	CASE NO. 3:18-CV-02454-JSC **NOTICE OF SUPREME COURT RULING AND REQUEST FOR STATUS CONFERENCE** Date: n/a Time: n/a Courtroom: n/a Judge: Hon. Jacqueline Scott Corley

NOTICE OF SUPREME COURT RULING & REQUEST FOR STATUS CONFERENCE

On August 20, 2020, the Court entered a stay of this matter pending the outcome of two consolidated Supreme Court cases: *F.T.C. v. Credit Bureau Ctr.*, 2020 WL 3865251 (U.S. July 9, 2020) (granting certiorari) (subsequently dismissed on Nov. 9, 2020); and *AMG Capital Mgmt., LLC v. F.T.C.*, 2020 WL 3865250 (U.S. July 9, 2020) (granting certiorari). At the hearing on LendingClub's stay motion, the Court ordered: "you should notify me when the Supreme Court rules." Motion to Stay Hearing Tr. at 8:23-24.

The Supreme Court issued its unanimous opinion on April 22, 2021, holding that Section 13(b)—the statute at issue in this case —"does not grant the Commission authority to obtain equitable monetary relief." *See AMG Capital Mgmt, LLC v. F.T.C.*, No. 19-508, slip op. at 14 (April 22, 2021).

In light of the Supreme Court's ruling, Defendant LendingClub Corporation ("LendingClub") respectfully requests that the Court schedule a status conference at the Court's earliest availability for the purpose of discussing and scheduling an expedited, streamlined proceeding to adjudicate the FTC's remaining request for injunctive relief.

Respectfully submitted,

DATED: April 27, 2021

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By */s/ Diane M. Doolittle*

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