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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

FRONTIER COMMUNICATIONS CORPORATION, *et al.*,

Defendants.

Case No. 2:21-cv-4155-RGK-MAA

RENEWED JOINT STIPULATION FOR CONTINUANCE OF PRE-TRIAL AND TRIAL DATES PENDING FEDERAL TRADE COMMISSION'S FORMAL REVIEW OF PROPOSED SETTLEMENT

Plaintiffs, the Federal Trade Commission ("FTC") and the People of the State of California, by and through the District Attorneys of Los Angeles County and Riverside County (collectively "Plaintiffs") and Defendants Frontier Communications Corporation, Frontier Communications Parent, Inc., Frontier Communications Intermediate, LLC, Frontier Communications Holdings, LLC (collectively "Defendants," and together with Plaintiffs, the "Parties") hereby stipulate and agree as follows:

WHEREAS, Plaintiffs filed the Complaint in this action on May 19, 2021;

WHEREAS, Plaintiffs' counsel and Defendants' counsel have reached a tentative settlement of this action, in the form of a Stipulated Order for Permanent Injunction, Monetary Judgment, and Other Relief ("Stipulated Order"). Declaration of Robert J. Quigley ("Quigley Declaration"), ¶ 2;

WHEREAS, before the parties can submit the proposed settlement to the Court, FTC counsel must have the proposed settlement reviewed and approved by the FTC's Bureau of Consumer Protection, and by the FTC's Commission, who have final authority to authorize FTC settlements. Quigley Decl., ¶ 3. FTC counsel anticipates that this settlement review process will take approximately 45 to 60 days. *Id.*;

WHEREAS, on March 15, 2022, Defendants' counsel transmitted to Plaintiffs a signed stipulation to enter the Stipulated Order containing the terms of the proposed settlement. Quigley Decl., ¶ 4;

WHEREAS, on March 16, 2022, counsel for the FTC submitted the proposed settlement to the FTC's Bureau of Consumer Protection for review, and the anticipated 45-to-60 day period for review of the settlement by the FTC's Bureau of Consumer Protection and Commission is underway. Quigley Decl., ¶ 5;

WHEREAS, if approved by the FTC, and then the Court, the proposed settlement will resolve all claims against all Defendants in this action;

WHEREAS, based on the foregoing, the Parties agree that a continuance of all case deadlines is necessary and appropriate;

WHEREAS, absent a continuance of the current pre-trial and trial dates, the Parties will need to expend significant monetary and personnel resources completing fact discovery (including taking and defending more than a dozen upcoming depositions) by April 6, preparing and serving opening expert reports by April 6, and drafting motions for summary judgment and supporting papers to be filed by April 20. Quigley Decl., ¶ 4. Each of these expenses would be rendered moot by the filing of the Parties' proposed settlement. *Id.*;

WHEREAS, the Court has previously found good cause for a continuance under similar circumstances involving settlements that require final review and approval by government agency officials. *See e.g.*, *United States v. PAMC, Ltd.*, No. 2:13-cv-4273, Dkt. 106 (C.D. Cal. Feb. 16, 2017) (Klausner, J.) (granting request to continue pre-trial and trial dates by 60 days pending final review and approval of a settlement by Department of Justice officials); *United States v. B&H Education, Inc.*, No. 2:13-cv-5256, Dkt. 73 (C.D. Cal. June 23, 2016) (granting request to continue pretrial dates by six weeks pending final review and approval of the settlement by Department of Justice officials) (Klausner, J.);

WHEREAS, on March 12, 2022, the Parties requested a sixty (60) day continuance of the case schedule in view of the tentative settlement agreement. Dkt. 92;

WHEREAS, on March 15, 2022 the Court denied the Parties' requested continuance without prejudice because the Parties' stipulation "d[id] not represent that the settlement agreement has actually been submitted to the FTC at this time." Dkt. 93;

WHEREAS, the Court's Order denying the parties' March 12, 2022 request for a sixty (60) day continuance of the case schedule stated that the Court "will

grant a renewed request for continuance" upon the filing of a renewed stipulation stating that "the settlement has indeed been submitted to the FTC for review." *Id.*;

WHEREAS, this renewed stipulation and accompanying declaration now represent that the proposed settlement has been submitted to the FTC's Bureau of Consumer Protection for review, and the anticipated 45-to-60 day period for FTC review referenced in the March 12, 2022 stipulated continuance request is underway. Quigley Decl., ¶ 10.

NOW, THEREFORE, it is agreed and the Parties respectfully renew their request that the Court enter an order continuing the current pre-trial and trial dates by sixty (60) days as follows:

Event	Current Date	Proposed New Date
Discovery Cut-Off Date (Fact Discovery)	April 6, 2022	June 6, 2022
Motion Cut-Off Date (Last Day to File)	April 20, 2022	June 21, 2022
Pretrial Conference	June 13, 2022 at 9:00 AM	August 15, 2022 at 9:00 AM
Bench Trial	July 5, 2022 at 9:00 AM	September 6, 2022 at 9:00 AM

Dated: March 16, 2022

/s/ Miles D. Freeman
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FILER'S ATTESTATION OF CONCURRENCE

Pursuant to Local Rule 5-4.3.4(a)(2), I, Miles D. Freeman, attest that all other signatories concur in the content of the foregoing document and authorize its filing.

Dated: March 16, 2022

By: */s/ Miles D. Freeman*
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