THE HONORABLE JOHN H. CHUN

**UNITED STATES DISTRICT COURT**
**WESTERN DISTRICT OF WASHINGTON**
**AT SEATTLE**

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

**CASE NO.: 2:23-cv-01495-JHC**

**JOINT STATUS REPORT**



**FEDERAL TRADE COMMISSION**
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Pursuant to the February 13, 2024 Case Management Order ("CMO"), Plaintiffs Federal Trade Commission ("FTC") and the states and territories of New York, Connecticut, New Hampshire, Oklahoma, Oregon, Pennsylvania, Delaware, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Puerto Rico, Rhode Island, Vermont, and Wisconsin, by and through their respective Attorneys General (together, "Plaintiff States," and collectively with the FTC, "Plaintiffs") and Defendant Amazon.com, Inc. ("Amazon") submit this joint status report in advance of the parties' March 2, 2026 status conference with the Court.

## I. STATUS OF LITIGATION

Plaintiffs filed the Complaint on September 26, 2023, Dkt. #1, and filed an Amended Complaint adding Puerto Rico and Vermont as Plaintiffs on March 14, 2024, Dkt. #170. Amazon filed a Motion to Dismiss the Complaint on December 8, 2023, Dkt. #127, which the parties agreed and the Court ordered would be deemed to be Amazon's Motion to Dismiss the Amended Complaint, Dkt. #175. The Court granted the motion as to certain state law claims and otherwise denied the motion on September 30, 2024, and granted leave to amend certain state law claims, Dkt. #289. The Court also granted Plaintiffs' motion to bifurcate. Dkt. #289.

Plaintiffs filed a Second Amended Complaint on October 31, 2024, amending state law claims under the laws of Maryland, Pennsylvania, and New Jersey. Dkt. #326. Amazon filed a motion to dismiss the amended Pennsylvania and New Jersey claims on November 14, 2024, Dkt. #340, and the Court granted that motion on March 20, 2025. Dkt. #450. Amazon also filed an Answer to the Second Amended Complaint on November 14, 2024. Dkt. #341. Amazon filed a Motion for Judgment on the Pleadings as to the FTC's claims on December 6, 2024. Dkt. #372.



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The Court denied that motion on April 8, 2025, and denied Amazon's request to certify the matter for an interlocutory appeal. Dkt. #463.

On December 15, 2025, after lifting a stay prompted by the 2025 United States government shutdown, the Court issued an Amended Case Scheduling Order, Dkt. #577, that included the following key dates:

| | |
|---|---|
| September 16, 2026 | Close of Expert Discovery |
| October 16, 2026 | Deadline to File Dispositive and *Daubert* Motions |
| March 15, 2027 | Final Pretrial Conference |
| March 29, 2027 | Bench Trial |

On February 2, 2026, the Court ordered a stay of all proceedings in this action during the 2026 United States government shutdown. Dkt. #614. The stay was lifted on February 3, 2026. Dkt. #615.

## II. JOINT REPORT ON THE STATUS OF DISCOVERY

### A. Party Discovery

The parties are continuing to meet and confer regarding a limited set of discovery issues after the close of fact discovery, including:

- Amazon's ongoing production of structured data, and associated data definitions;
- Plaintiffs' Requests for Production Nos. 402-406, Amazon's Requests for Production Nos. 72-73 and 75-84 to the FTC, and Amazon's Requests for Production Nos. 73-82 to certain Plaintiff States (Dkt. # 617); and
- Plaintiffs' Requests for Production No. 350 (Dkt. #624)

The parties are hopeful that they will be able to resolve or narrow their disputes through further discussions, but will file motions on these issues promptly if the parties come to an impasse.



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Plaintiffs have taken the depositions of 68 Amazon employees or former employees and two Rule 30(b)(6) depositions of Amazon or former employees.

**B. Third Party Discovery**

Plaintiffs have served 44 document subpoenas to third-party online retailers and marketplaces, third-party logistics providers, and sellers.

Amazon has served 48 third-party subpoenas seeking documents from online retailers and marketplaces, third-party logistics providers, and sellers.

The parties have taken 65 depositions of third-party witnesses, including coordinated depositions. The parties anticipate conducting one additional deposition of a third-party witness at this time.

## III. PENDING MOTIONS

The chart below lists the motions that are pending before the Court:

| Motion | Response | Reply | Notice Date |
|---|---|---|---|
| Plaintiffs' Motion for Spoliation Sanctions (Dkt. #598, filed 1/30/2026) | Amazon's Opposition (Dkt. #___, due 3/3/2026) | Plaintiffs' Reply (Dkt. #____, due 3/17/2026) | March 17, 2026 |
| Plaintiffs' Motion to Compel the Production of Documents Concerning Amazon's Manipulation Of Evidence (Dkt. #604, filed 1/30/2026) | Amazon's Opposition (Dkt. #___, due 3/3/2026) | Plaintiffs' Reply (Dkt. #____, due 3/17/2026) | March 17, 2026 |
| Amazon's Motion to Appoint a Special Master (Dkt. #618, filed 2/6/2026) | Plaintiffs' Opposition (Dkt. #___, due 3/3/2026) | Amazon's Reply (Dkt. #____, due 3/10/2026) | March 10, 2026 |



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| | | | |
|---|---|---|---|
| Amazon's Second Motion to Compel Further Responses to Its First Set of Interrogatories (Dkt. #626, filed 2/17/2026) | Plaintiffs' Opposition (Dkt. #___, due 3/4/2026) | Amazon's Reply (Dkt. #____, due 3/10/2026) | March 10, 2026 |

Dated: February 25, 2026

Respectfully submitted,

*s/ Edward H. Takashima*

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