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

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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' August 31, 2026 status conference with the Court.

At this time, the parties do not have any disputes requiring the Court's guidance. *See* Dkt. #161 at 2. The parties defer to the Court on whether to hold the August 31, 2026 status conference as scheduled.

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

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a Motion for Judgment on the Pleadings as to the FTC's claims on December 6, 2024. Dkt. #372. 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

On April 29, 2026, the Court granted Plaintiffs "leave to conduct additional discovery into the extent of Amazon's spoliation." Dkt. #678 at 35. Accordingly, on May 15, 2026, Plaintiffs issued their Ninth Set of Requests for Production and Fifth Set of Interrogatories to Amazon seeking discovery into Amazon's spoliation of evidence. Amazon has agreed to complete its production of documents in response to agreed-upon requests by September 7, 2026, and to produce a privilege log for any withheld documents by September 14, 2026.

On August 11, 2026, the Court ordered the parties' Stipulated Motion Regarding Amazon's Privilege Re-Review. Dkt. #699. Pursuant to that order, Plaintiffs identified privilege

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log entries for Amazon's re-review on August 25, 2026. Amazon will complete its re-review by September 24, 2026.

B. Expert Discovery

The parties exchanged opening expert reports on March 27, 2026; exchanged rebuttal reports on June 10, 2026; and exchanged reply reports on August 19, 2026. The parties have scheduled dates for all expert depositions.

III. ECONOMICS DAY

At the last status conference, held on June 1, 2026, the Court set a second Economics Day hearing for December 4, 2026. The parties jointly propose to meet and confer regarding the second Economics Day hearing and submit a proposal or proposals regarding the hearing to the Court by October 2, 2026.

IV. OTHER ISSUES

The parties have agreed to meet and confer regarding the use of Protected Material at trial, including a process for trial confidentiality designations and sealing requests, and will submit a stipulation or proposals to the Court before the November 30, 2026 status conference.

Dated: August 26, 2026

Respectfully submitted,

s/ Edward Takashima

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