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

DECLARATION OF EDWARD H. TAKASHIMA

I, Edward H. Takashima, declare as follows:

1. I am an attorney in the Federal Trade Commission's ("FTC") Bureau of Competition, and I represent the FTC in the above-captioned action. I am over eighteen years of age and am competent to testify to the matters set forth in this declaration. I make the following statements based on my personal knowledge.

2. I have conferred with plaintiffs' counsel in *De Coster v. Amazon.com, Inc.*, No. 2:21-cv-00693-JHC (W.D. Wash.), and *District of Columbia v. Amazon.com, Inc.*, No. 2021-CA-1775-B (D.C. Super. Ct.), and can represent that they oppose Amazon's motion to the extent that it would impact their scheduled trial dates.

FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580
(202) 326-2222

3. I am authorized to convey the following position statement from the *De Coster* plaintiffs: "Counsel for the certified, nationwide *De Coster* class oppose Amazon's motion to continue the *FTC* trial to June 2027. *De Coster*, which has been pending for more than five years, has a June 14, 2027 trial date. *De Coster et al. v. Amazon.com, Inc.*, No. 2:21-cv-00693-JHC, Dkt. #505. Moving the *FTC* trial to the same month as the *De Coster* trial would create the very overlap Amazon says it must avoid. Amazon has not moved to continue the *De Coster* trial, nor has Amazon even broached the subject with the *De Coster* plaintiffs. That Amazon agreed to a problematic schedule in a different case, in a different court is not good cause to delay the resolution of one of the largest cases ever to go to trial and to prejudice hundreds of millions of *De Coster* class members."

4. Attached as **Exhibit A** is a true and correct copy of the February 24, 2026 scheduling order in *District of Columbia v. Amazon.com, Inc.*, No. 2021-CA-1775-B (D.C. Super. Ct.).

5. Attached as **Exhibit B** is a true and correct copy of the December 12, 2025 scheduling order in *The People of the State of California v. Amazon.com, Inc.*, No. CGC-22-601826 (S.F. Super. Ct.).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 2, 2026, in Washington, D.C.

s/ Edward H. Takashima
EDWARD H. TAKASHIMA

FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580
(202) 326-2222

Exhibit A

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

DISTRICT OF COLUMBIA, *Plaintiff,* v. **AMAZON.COM, INC.**, *Defendant.*	CASE NO. 2021 CA 1775 B JUDGE: Shana Frost Matini Next Event: Status Hearing

SCHEDULING ORDER

Pursuant to the Stipulation and Proposed Scheduling Order submitted by the parties to the Court on February 23, 2026, it is this 24th day of February 2026 hereby:

ORDERED that the Status Hearing scheduled for February 26, 2026 is vacated; and it is further

ORDERED that the Scheduling Order is amended as follows:

Event	New Deadline
Close of fact discovery	January 30, 2026
Amazon to produce the FTC and California's opening expert reports from the FTC and California Actions relating to overlapping claims[1]	April 3, 2026
Disclosure of proponent expert reports	June 30, 2026
Amazon to produce to the District: (i) Amazon's opening reports (if any) from FTC and California actions, and (ii) response reports of the FTC and	July 7, 2026

[1] The Parties agree that the disclosures of expert reports from the FTC and California actions will be made on the deadlines herein as long as one of the following three conditions is met in advance: 1) the District provides Amazon an index of materials received from third parties in this action at least twenty-one days prior to the first disclosure deadline; 2) the District obtains written consent from the respective coordinated plaintiffs that their reports may be produced by Amazon to the District without redaction of third party materials; or 3) either of the Parties obtains a court order allowing for disclosure of the reports to the District without redaction. In addition, Amazon may redact information in the reports in the FTC Action that do not concern the parity-related claims; such information is limited to the FTC's claims relating to required advertising, sellers using FBA for a "Prime eligible" badge, and Nessie and third-party information that was not produced to the District or Amazon in this action.

Event	New Deadline
California in the FTC and California actions relating to overlapping claim	
Disclosure of rebuttal expert reports	September 4, 2026
Amazon to produce to the District the reply reports of the FTC and California in the FTC and California actions and Amazon's opposition reports in the FTC and California actions relating to overlapping claims	September 11, 2026
Deadline for parties to file reply expert reports (if any)	October 23, 2026
Begin mediation or other alternative dispute resolution	October 30, 2026
Amazon to produce to the District its reply reports in the FTC and California actions relating to overlapping claims	November 2, 2026
Close of expert discovery	December 1, 2026
Dispositive and *Daubert* motions filed	December 22, 2026
Oppositions to dispositive and *Daubert* motions filed	February 22, 2027
Replies in support of dispositive and *Daubert* motions filed	March 26, 2027
Pretrial conference	August 6, 2027[2], 9:30am
Trial	September 20, 2027

SO ORDERED.

Judge Shana Frost Matini
Superior Court of the District of Columbia

Copies served electronically on counsel of record

[2] The pretrial conference will take place in person with all parties, their counsel and persons with settlement authority directed to appear in Courtroom 130. The parties shall file their joint pretrial statement no later than July 30, 2027.

Exhibit B

ROB BONTA (SBN 202668)
Attorney General of California
PAULA BLIZZARD (SBN 207920)
Senior Assistant Attorney General
NATALIE S. MANZO (SBN 155655)
JAMIE L. MILLER (SBN 271452)
STEPHEN R. SMEREK (SBN 208343)
Supervising Deputy Attorneys General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 269-6000

Attorneys for Plaintiff and Cross-Defendant The People of the State of California

HEIDI K. HUBBARD *(pro hac vice)*
JOHN E. SCHMIDTLEIN (Bar No. 163520)
KEVIN M. HODGES *(pro hac vice)*
WILLIAMS & CONNOLLY LLP
680 Maine Ave. SW
Washington, DC 20024
Tel.: (202) 434-5000

JEFFREY M. DAVIDSON (Bar No. 248620)
COVINGTON & BURLING, LLP
415 Mission Street, Suite 5400
San Francisco, CA 94105
Tel: (415) 591-6000

Attorneys for Defendant and Cross-Complainant Amazon.com, Inc.

(additional counsel listed below)

FILED
San Francisco County Superior Court
DEC 12 2025
CLERK OF THE COURT
BY: Edward J. [illegible]
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff/Cross-Defendant,

v.

AMAZON.COM, INC.,

Defendant/Cross-Complainant.

Case No. CGC-22-601826

STIPULATION AND ~~[PROPOSED]~~ ORDER TO CONTINUE PRETRIAL DEADLINES AND TRIAL DATE

Dept.: 304
Judge: Hon. Ethan P. Schulman

Action Filed: September 15, 2022
Trial Date: October 19, 2026

STIPULATION AND [PROPOSED] ORDER TO CONTINUE PRETRIAL DEADLINES AND TRIAL DATE

WHEREAS, on June 20, 2025, the Court continued the trial in this action to October 19, 2026, and also modified the pretrial schedule in this Action, *see* Order After June 20, 2025 Case Management Conference; and

WHEREAS, the parties have been working to coordinate pretrial discovery in this Action with six other pending actions in other jurisdictions, *see* December 6, 2024 Stipulated Amended Coordination Protocol[1]; and

WHEREAS, on October 1, 2025, the Court in the *FTC* Action entered a stay in light of the ongoing federal government shutdown, *see FTC v. Amazon.com, Inc.*, No. 2:23-cv-01495-JHC, ECF 548 (W.D. Wash.); and

WHEREAS, at the time the stay was entered in the *FTC* Action, the parties had yet to complete a number of depositions, many of which were depositions of third-party witnesses, that were set to be coordinated with the *FTC* Action; and

WHEREAS, because of the stay in the *FTC* Action, these coordinated depositions were continued until after the stay had been lifted; and

WHEREAS, on November 18, 2025, the Court in the *FTC* Action lifted the stay of proceedings in that action, *see* No. 2:23-cv-01495-JHC, ECF 556 (W.D. Wash.); and

WHEREAS, the parties have been working diligently to reschedule outstanding coordinated depositions now that the stay has been lifted in the *FTC* Action; and

WHEREAS, the majority of the outstanding coordinated depositions are likely to be rescheduled for January 2026 in order to accommodate the availability of witnesses, many of whom are unavailable in December due to professional and personal commitments; and

[1] Those actions are: *Federal Trade Commission, et al. v. Amazon.com, Inc.*, No. 2:23-cv-01495-JHC (W.D. Wa.) (the "*FTC* Action"); *Frame-Wilson et al. v. Amazon.com Inc.*, No. 2:20-cv-00424-JHC (W.D. Wa.); *De Coster et al. v. Amazon.com, Inc.*, No. 2:21-cv-00693-JHC (W.D. Wa.); *Brown et al. v. Amazon.com, Inc.*, No. 22-cv-00965-JHC (W.D. Wa.); *Mbadiwe et al. v. Amazon.com, Inc.*, No. 1:22-cv-9542-VSB (S.D.N.Y.); and *District of Columbia v. Amazon.com, Inc.*, No. 2021-CA-001775-B (D.C. Super. Ct.),

WHEREAS, the opportunity to complete the outstanding coordinated depositions before finalizing and serving opening expert reports will increase the efficiency and effectiveness of the parties' respective expert disclosures; and

WHEREAS, Amazon has represented that it anticipates a continuation of both existing pre-trial deadlines and the trial date in the *FTC* Action in light of the federal government shutdown and the associated stay of proceedings in the *FTC* Action; and

WHEREAS, the parties in this Action are seeking a reasonable adjustment and extension of time for the remaining pretrial deadlines in this Action, as well as a resulting continuation of the trial date, which will allow the parties to complete outstanding coordinated discovery;

NOW THEREFORE, the Parties jointly stipulate and ask that the Court order as follows:

1) The trial date be continued from October 19, 2026 to January 19, 2027;

2) The deadline to serve opening expert reports be continued to from December 31, 2025 to February 13, 2026.

3) The deadline to serve rebuttal expert reports be continued from March 16, 2026 to April 29, 2026.

4) The deadline to serve reply expert reports be continued from May 25, 2026 to July 8, 2026.

5) The deadline for the close of expert discovery be continued from June 22, 2026 to August 5, 2026.

6) The deadline to file dispositive motions be continued from May 22, 2026 to August 18, 2026.

7) The deadline to file oppositions to dispositive motions be continued from July 1, 2026 to October 2, 2026.

8) The deadline to file replies in support of any dispositive motions be continued from July 29, 2026 to November 2, 2026.

9) A mediation and/or settlement conference shall be set for no later than October 22, 2026.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

DATED: December 12, 2025

By: /s/ Jamie L. Miller
Jamie L. Miller

Rob Bonta (SBN 202668)
Attorney General of California
Paula Blizzard (SBN 207920)
Senior Assistant Attorney General
Natalie S. Manzo (SBN 155655)
Jamie L. Miller (SBN 271452)
Stephen R. Smerek (SBN 208343)
Supervising Deputy Attorneys General
Lonnie A. Browne (SBN 293171)
Matthew E. Campbell (SBN 312093)
Elliott E. Dionisio (SBN 294539)
Carolyn D. Jeffries (SBN 319595)
Nell G. Moley (SBN 295498)
Komal K. Patel (SBN 342765)
Lauren J. Pomeroy (SBN 291604)
Deputy Attorneys General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Tel: (213) 269-6000

Attorneys for Plaintiff and Cross-Defendant, The People of the State of California

Respectfully submitted,

By: /s/ Jeffrey M. Davidson
Jeffrey M. Davidson

Heidi K. Hubbard *(pro hac vice)*
John E. Schmidtlein (Bar No. 163520)
Kevin M. Hodges *(pro hac vice)*
Jonathan B. Pitt *(pro hac vice)*
Carl R. Metz *(pro hac vice)*
Carol J. Pruski (Bar No. 275953)
WILLIAMS & CONNOLLY LLP
680 Maine Ave. SW
Washington, DC 20024
Tel.: (202) 434-5000
Fax: (202) 434-5029

Jeffrey M. Davidson (Bar No. 248620)
Cortlin H. Lannin (Bar No. 266488)
Neema T. Sahni (Bar No. 274240)
COVINGTON & BURLING, LLP
415 Mission Street, Suite 5400
San Francisco, CA 94105
Tel: (415) 591-6000
Fax: (415) 591-6091

Attorneys for Defendant and Cross-Claimant, Amazon.com, Inc.

~~[PROPOSED]~~ ORDER

Pursuant to the above stipulation, IT IS SO ORDERED.

DATED: Dec. 12, 2025

Hon. Ethan P. Schulman
Judge of the Superior Court

CERTIFICATE OF ELECTRONIC SERVICE

(CCP 1010.6, and CRC 2.251)

I, Edward Santos, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On December 12, 2025, I electronically served:

ORDER ON STIPULATION TO CONTINUE PRETRIAL DEADLINES AND TRIAL DATE

via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Date: DEC 12 2025

Brandon E. Riley, Court Executive Officer

By: Edward J. SL

Edward Santos, Deputy Clerk