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

ORDER RE: ECONOMICS DAY

This matter comes before the Court on the Parties' October 9, 2026, Joint Status Report. Dkt. # 711. Having reviewed the Report and considered the rest of the file, the Court ORDERS as follows:

On December 4, 2026, the Court will hold an Economics Day hearing in which certain of the Parties' experts will provide the Court with a presentation on certain economics issues relevant to this case, without attorney advocacy. The following ground rules are established to allow the Parties' experts to present on relevant economics issues in a non-adversarial manner:

1. The Parties' experts will present in a lecture format and respond to questions from the Court during the presentations. The experts may use slides during their presentations to help guide their presentations. Attorneys may help focus the experts' presentations through a limited

direct examination. No cross-examination or legal argument by either side's lawyers will be permitted, and the Parties' experts will not be permitted to question each other.

2. The Parties' presentations will address the issues of relevant antitrust markets, monopoly power, and the economic analysis of the Amazon policies and practices at issue in this case and their impact on competition. The Parties will first present their respective experts on relevant antitrust markets and monopoly power, followed by their respective experts on the economic analysis of the Amazon policies and practices at issue in this case and their impact on competition. Given the Court's time constraints and to focus the Parties' presentations, the Parties will not present on issues related to Project Nessie.

3. The Economics Day hearing is intended to be "risk free" for both sides, and the information presented, including all oral presentations and presentation materials, is intended for the Court's benefit to gain informal knowledge on relevant economics issues. Nothing stated or presented at the hearing, including written presentation materials, shall be cited, considered, or used in this litigation, admitted into evidence, or used in connection with any fact or expert witness examination (including cross-examination and impeachment) at trial.

4. The Parties will disclose to each other which experts they intend to have present at the Economics Day hearing no later than October 23, 2026.

5. The Parties shall provide the Court and opposing counsel with copies of their presentation materials no later than December 1, 2026.

6. The Parties' presenting experts, and at least one attorney for each side, will appear in person for Economics Day. The Court will allow a telephonic attendance option for non-speaking Party attorneys who are not able to attend Economics Day in person.

7. The Parties shall structure expert presentations and presentation materials so that the Economics Day hearing will not be sealed or otherwise closed to the public. The Parties

anticipate that some presentation materials will not be able to be shown publicly because they contain material that has been designated as Protected Material under the Protective Order, Dkt. # 160.

8. The Parties and any relevant non-parties will meet and confer to address any potential confidentiality issues related to the expert presentations.

9. As with the prior Economics Day hearing, the Parties do not object to plaintiffs in the *De Coster* and *Frame Wilson* actions attending the upcoming Economics Day hearing. The Parties understand that the *De Coster* and *Frame Wilson* plaintiffs are not seeking to participate in the Economics Day hearing.

10. The Court sets the following schedule for the hearing:

9:00 am - 10:15 am: Plaintiffs' presentation on market / monopoly power

10:15 am - 10:30 am: Break

10:30 am - 12 pm: Amazon's presentation on market / monopoly power

12:00 pm - 12:15 pm: Plaintiffs' reply presentation

12:15pm - 1:45pm: Lunch break

1:45 pm - 3:00 pm: Plaintiffs' presentation on conduct / competitive effects

3:00pm - 3:15pm: Break

3:15pm - 4:45 pm: Amazon's presentation on conduct / competitive effects

4:45 pm - 5:00 pm: Plaintiffs' reply presentation

DATED this 14th day of October, 2026.

John H. Chun
United States District Judge