UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

INTERCONTINENTAL EXCHANGE, INC.

and

BLACK KNIGHT, INC.,

Defendants.

Case No. 3:23-cv-01710-AMO

JOINT STIPULATION FOR DISMISSAL WITHOUT PREJUDICE

In light of the significant progress the parties have made toward a potential resolution of the administrative proceeding, and pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Federal Trade Commission and Defendants Intercontinental Exchange, Inc. and Black Knight, Inc. hereby voluntarily and jointly stipulate to the dismissal of this action without prejudice. The parties understand and agree that the filing of this joint stipulation dismissing this action effectuates the dissolution of the temporary restraining order entered in this action on April 21, 2023 (ECF No. 39). Further, the parties have entered into an agreement (the "Timing Agreement") whereby Defendants shall refrain from closing their transaction before 11:59 p.m. EDT on the tenth calendar day after Defendants sign an Agreement Containing Consent Orders ("ACCO") for submission to the Federal Trade Commission. The Timing Agreement provides certain deadlines and milestones for a mutually acceptable ACCO by August 25, 2023; if the parties do not sign an ACCO by that time (subject to extension in certain circumstances), any party may unilaterally terminate the Timing Agreement with three (3) calendar days written notice to all other parties.

The parties will each bear their own costs, expenses, and attorneys' fees incurred in this litigation.

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FILER'S ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

I, Abby L. Dennis, am the ECF User whose ID and password are being used to file the foregoing. In compliance with Civil Local Rule 5-1(h)(3), I attest that the other signatories concurred in this filing, and I shall maintain records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party.

Dated: August 7, 2023

/s/ *Abby L. Dennis*
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