

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**In the Matter of**

**Microsoft Corp.,  
a corporation, and**

**Activision Blizzard, Inc.,  
a corporation,**

**Respondents.**

**DOCKET NO. 9412**

**AGREED MOTION OF NON-PARTY NVIDIA CORPORATION  
FOR EXTENSION OF TIME TO MOVE TO LIMIT OR QUASH OR  
OTHERWISE RESPOND TO SUBPOENA**

Non-party NVIDIA Corporation (“NVIDIA”) moves pursuant to 16 C.F.R. § 3.34(c) for a two-week extension of time, until February 13, 2023, to move to limit or quash the subpoena served on NVIDIA by Activision Blizzard, Inc. (“Activision”) on January 20, 2023 (the “Subpoena”). Activision agrees to the relief requested in this motion.

Activision served NVIDIA with the Subpoena on January 20, 2023, with a response date of January 30, 2023. Pursuant to Rule 3.34(c), the deadline for NVIDIA to move to limit or quash the Subpoena is today, January 30, 2023.

Negotiations between NVIDIA and Activision as to the scope of NVIDIA’s production and a discovery schedule are ongoing. NVIDIA requests an extension of the deadline for NVIDIA to move to limit or quash the Subpoena so that NVIDIA and Activision can continue negotiations and eliminate or narrow any issues that need to be presented to the Court for resolution.

Pursuant to the January 4, 2023 Scheduling Order, Activision has until April 7, 2023, to complete fact discovery, and, therefore, NVIDIA does not believe the requested extension will delay the progress of these proceedings.

NVIDIA therefore respectfully requests that Your Honor grant the requested relief pursuant to 16 C.F.R. § 4.3(b), for good cause shown.

Dated: January 30, 2023

Respectfully submitted,

/s/ Michael D. Bonanno

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**In the Matter of**

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**DOCKET NO. 9412**

**[PROPOSED] ORDER GRANTING AGREED MOTION FOR EXTENSION OF TIME  
TO MOVE TO LIMIT OR QUASH OR OTHERWISE RESPOND TO SUBPOENA**

On January 30, 2023, non-party NVIDIA Corporation (“NVIDIA”) filed an Agreed Motion for Extension of Time to Move to Limit or Quash or Otherwise Respond to a subpoena (“Motion”) served by Respondent Activision Blizzard, Inc. (“Activision”) on January 20, 2023.

Under FTC Rule of Practice 3.34(c), any motion to limit or quash a subpoena must be filed within the earlier of ten days of service of the subpoena or the time for compliance therewith. NVIDIA seeks an extension of time in order to continue its negotiations with Activision regarding the subpoena, thereby narrowing potential discovery disputes.

FTC Rule 4.3(b) authorizes the Administrative Law Judge, except in circumstances not here presented, to extend any time limit prescribed by the rules “[f]or good cause shown.” 16 C.F.R. § 4.3(b). Based on the representation in the Motion, NVIDIA has demonstrated good cause for the requested extension. Accordingly, the Motion is GRANTED and it is hereby ORDERED that NVIDIA’s deadline for filing any motion to limit or quash the subpoena pursuant to Rule 3.34(c) is extended to February 13, 2023.

ORDERED:

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D. Michael Chappell  
Chief Administrative Law Judge

Date: \_\_\_\_\_, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that on January 30, 2023, I filed the foregoing document electronically using the Federal Trade Commission's e-filing system, which will send notification of such filing to:

April Tabor  
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The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
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I also certify that I caused the foregoing document to be served via email to:

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### **CERTIFICATE FOR ELECTRONIC FILING**

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the original filing, and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

Dated: January 30, 2023

*/s/ Michael D. Bonanno*

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