

Counsel Submitting:

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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COMPLETE MERCHANT SOLUTIONS, LLC,

Plaintiff,

vs.

FEDERAL TRADE COMMISSION,

Defendant.

Case No. 2:19-cv-00963-HCN-DAO

**DEFENDANT'S STATUS REPORT AND  
PARTIES' JOINT STIPULATION**

Judge Howard C. Nielson, Jr.

Magistrate Judge Daphne A. Oberg

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Pursuant to the Court's November 2, 2020 order (Dkt. 62), defendant Federal Trade Commission ("FTC") reports the following:

1. On August 18, 2020, FTC counsel and plaintiff Complete Merchant Solutions ("CMS") reached agreement on a proposed stipulated final order relating to the FTC's investigation of CMS.
2. At the request of the parties, on August 21, the Court stayed this action until November 12 to allow the Commission to review and vote on the proposed

settlement, and directed the FTC to file a status report by October 30 regarding the Commission's review. Dkt. 60.

3. On November 2, following that report and at the request of the parties, the Court extended the stay until December 14 and directed the FTC to file a status report regarding the Commission's review of the proposed order by today. Dkt. 62.
4. The Commission has approved the proposed stipulated final order, which resolves the FTC's investigation of CMS.

Based on the foregoing:

- a. CMS stipulates that it will file a stipulation of dismissal with prejudice under Fed. R. Civ. P. 41(a) in this case within the next business day.
- b. The FTC stipulates that it will file a stipulation of dismissal with prejudice under Rule 41(a) in *FTC v. Complete Merchant Solutions, LLC*, No. 2:19-cv-00996-HCN-DAO (D. Utah) within the next business day.
- c. The FTC stipulates that, within one business day after the filing of both stipulations of dismissal, it will file a complaint under Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), together with the proposed stipulated final order

just approved by the Commission.

Dated: December 7, 2020

Respectfully submitted,

/s/ Allison Buchner

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2020, the undersigned electronically transmitted the foregoing to the Clerk's Office for the United States District Court for the District of Utah using the District Court's CM/ECF System, which shall electronically serve a copy of the foregoing upon counsel of record for all parties in the above-captioned case.

/s/ Michael D. Bergman  
Michael D. Bergman, Attorney  
Federal Trade Commission