

**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

**STIPULATION REGARDING THE PROTECTION AND CLAWBACK OF
ATTORNEY CLIENT PRIVILEGED INFORMATION OR INFORMATION
OTHERWISE PROTECTED FROM DISCLOSURE**

Sony Interactive Entertainment LLC (“SIE”) and Microsoft Corp. (“MSFT”)

stipulate as follows:

1. This stipulated Order shall be applicable to and govern all deposition transcripts and/or videotapes, documents and data produced in response to requests for production of documents, affidavits, declarations and all other information or material produced, made available for inspection, or otherwise submitted by SIE (the “producing party”) in this litigation or as part of the pre-complaint investigation (collectively “Information”).
2. The disclosure of any privileged or otherwise protected or exempted Information, as well as the production of Information without an appropriate designation of confidentiality is not a waiver of the privilege or protection from discovery in this case or in any other proceeding. This Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d) and FTC Rule 3.31(g), 16 C.F.R. § 3.31(g).
3. The undersigned further agree that the disclosure of any privileged or otherwise protected or exempted Information, as well as the production of Information without an appropriate designation of confidentiality, shall be deemed “inadvertent” within the meaning of FTC Rule 3.31(g)(1)(i)(A) and SIE shall be deemed to have taken “reasonable steps to prevent the disclosure” within the meaning of FTC Rule 3.31(g)(1)(i)(B).
4. Except as provided in Paragraph 3, the applicability of FTC Rule 3.31(g) is otherwise unaffected.

Dated: March 2, 2023

Respectfully submitted,

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**[PROPOSED] ORDER GRANTING AGREED STIPULATION REGARDING THE
PROTECTION AND CLAWBACK OF ATTORNEY CLIENT PRIVILEGED
INFORMATION OR INFORMATION
OTHERWISE PROTECTED FROM DISCLOSURE**

On March 2, 2023, non-party Sony Interactive Entertainment LLC (“SIE”) and Microsoft Corp. filed an Agreed Stipulation and Order Regarding the Protection and Clawback of Attorney Client Privileged Information or Information Otherwise Protected from Disclosure (“Stipulation”) and jointly request that the Stipulation be entered as an order in this matter.

Accordingly, the joint request is GRANTED and it is hereby ORDERED that the Stipulation shall be entered as an order in this matter.

ORDERED:

Date: March __, 2023

D. Michael Chappell
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2023, I filed the foregoing document electronically using the Federal Trade Commission's e-filing system, which will send notification of such filing to:

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Federal Trade Commission
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Washington, D.C. 20580
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The Honorable D. Michael Chappell
Administrative Law Judge
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I also certify that I caused the foregoing document to be served via email to:

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