

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

**In the Matter of**

**Intercontinental Exchange, Inc.,**  
a corporation;

and

**Black Knight, Inc.,**  
a corporation.

**Docket No. 9413**

**EXPEDITED TREATMENT  
REQUESTED**

**JOINT MOTION TO SUSPEND SCHEDULING ORDER DEADLINES**

The parties respectfully request that the Court suspend all scheduling order deadlines until the Commission determines whether to continue the start of the evidentiary hearing in this matter. As an update, on June 23, 2023, the parties submitted a joint supplemental response regarding Respondents' Motion to Stay Administrative Hearing Pending Federal Court Preliminary Injunction Action to request that the Commission continue the start of the evidentiary hearing in the administrative proceeding (currently slated to begin on July 12, 2023) until September 25, 2023. The parties made this submission because the District Court presiding over the Section 13(b) preliminary injunction proceeding (*FTC v. Intercontinental Exchange, Inc.*, No. 3:23-cv-0710-AMO (N.D. Cal.)), expressed its view that the hearing in the Section 13(b) case should precede the administrative hearing.

In this case, there are a number of upcoming deadlines this week: first, the parties must submit a joint statement regarding witness scheduling on June 28 (as per the Court's June 21 e-mail); second, the parties must submit objections to witness lists and exhibit lists on June 29; and

finally, the parties must submit pretrial briefs, motions *in limine*, and responses to motions for *in camera* treatment on June 30.

In light of these developments, the parties respectfully request that the Court suspend all prehearing deadlines in the scheduling order to conserve the resources of the Court, the parties, and third parties while the Commission considers the parties' request. In the event that the Commission grants the parties' request, the parties agree to confer on revised deadlines consistent with a September 25, 2023 start to the evidentiary hearing in this proceeding.

Dated: June 27, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 27, 2023, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

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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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