

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

In the matter of

H&R BLOCK INC.,
 a corporation,

HRB DIGITAL LLC,
 a limited liability company, and

HRB TAX GROUP, INC.,
 a corporation.

DOCKET NO. 9427

FIRST JOINT STATUS REPORT

Pursuant to the Scheduling Order in this matter, Complaint Counsel and counsel for H&R Block, Inc., HRB Digital LLC, and HRB Tax Group, Inc. (“Respondents”) submit this First Joint Status Report summarizing party and non-party discovery, any currently existing issues that may require intervention of the administrative law judge (“ALJ”), and any other presently foreseeable matters that may need to be presented to the ALJ or the Commission.

I. Summary of Party and Non-Party Discovery

Party Discovery Requests			
Proponent	Discovery Sought	Date for Response	Status
Complaint Counsel	First Set of Interrogatories to Respondents	5/6/2024; extension to 5/10/2024	Objections & Partial Responses: 5/10/2024
Complaint Counsel	First Requests for Production	5/15/2024	Objections & Narrative Responses: 5/14/2024 Partial document productions: 6/7/2024, 6/12/2024

Complaint Counsel	Second Requests for Production	5/22/2024	Objections & Narrative Responses: 5/21/2024 Partial document production: 6/14/2024
Complaint Counsel	First Requests for Admission	6/24/2024	
Respondents	First Requests for Admission	5/2/2024	Objections & Admissions: 5/2/2024
Respondents	Interrogatories to Complaint Counsel	5/22/2024	Objections & Responses: 5/22/2024
Respondents	First Requests for Production	5/22/2024	Objections & Narrative Responses: 5/22/2024 Partial document production: 6/14/2024
Non-Party Discovery Requests			
Proponent	Discovery Sought	Date for Response	Status
Complaint Counsel	Document Subpoena to Carmichael Lynch, Inc.	5/13/2024	Response outstanding
Complaint Counsel	Document Subpoena to Chemistry Communications, Inc.	5/13/2024	In communication with counsel
Complaint Counsel	Document Subpoena to Deutsch LA, Inc.	5/13/2024; extension to 6/10/2024	In communication with counsel
Complaint Counsel	Document Subpoena to Fallon Group, Inc.	5/13/2024; extension to 6/13/2024	Response pending; in communication with counsel

Complaint Counsel	Document Subpoena to Gale Partners, LLC	5/13/2024; extension to 6/14/2024	Response complete
Complaint Counsel	Document Subpoena to Harman Atchison	6/27/2024; extension to 7/9/2024	In communication with counsel
Complaint Counsel	Document Subpoena to Morning Consult	6/20/2024	In communication with counsel
Complaint Counsel	Document Subpoena to Nielsen Company	6/20/2024	Response complete
Complaint Counsel	Ogilvy & Mather Worldwide, LLC	6/4/2024	Response complete
Complaint Counsel	Document Subpoena to OMD Worldwide	5/13/2024	Response complete
Complaint Counsel	Document Subpoena to Publicis Sapient	5/13/2024; extension to 6/13/2024	Response pending; in communication with counsel
Complaint Counsel	Document Subpoena to Spark Ventures LLC	5/13/2024	Response complete
Complaint Counsel	Document Subpoena to Spark Foundry	6/20/2024	Response pending; in communication with counsel
Complaint Counsel	Document Subpoena to Vayner	5/13/2024	Response complete

II. Currently Existing Issues Possibly Requiring ALJ Intervention

While discovery has proceeded without significant dispute, Complaint Counsel’s Specification 1 of First Requests for Production (“RFP1:1”), served on Respondents on April 12, 2024, has been the subject of extensive conversation between the parties. RFP1:1 seeks:

For each DIY Online Product offered by [Respondents] during Tax Season 2024, a copy of all native-format source code and version control system repositories (e.g., git repositories) as well as all configuration settings and data, utilized third-party libraries, build files, compiler and

platform settings, build/release process documentation, and other application customization and configuration details and documentation.

On June 14, 2024, Respondents agreed to produce the requested materials, subject to objections and Complaint Counsel's confidential treatment of these materials pursuant to the limitations on disclosure and use of confidential information as set forth in the Protective Order Governing Confidential Material dated February 26, 2024. On June 17, 2024, Respondents committed to using their best efforts to do so by Friday, June 21, 2024. If Respondents fail to make a full production by or on June 21, 2024, Complaint Counsel intend to move to compel production.

III. Other Presently Foreseeable Matters for ALJ or the Commission

Complaint Counsel and Respondents disagree as to the number of interrogatories each have propounded on the other; it is foreseeable that this matter may be raised with the ALJ. Beyond this, there are no other presently foreseeable matters that may need to be presented to the ALJ or to the Commission.

Dated: June 20, 2024

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Respectfully submitted,

By: /s/ Erika Whyte

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CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2024, I filed the foregoing document electronically using the FTC E-File system, and sent courtesy copies of such filing to:

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The Honorable Jay L. Himes
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I hereby certify that on July 20, 2024, I caused the foregoing document to be served via email on:

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