

PUBLIC

**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.**

DOCKET NO. 9412

**NON-PARTY SONY INTERACTIVE ENTERTAINMENT'S
MOTION TO EXTEND TIME TO FILE MOTION FOR *IN CAMERA*
TREATMENT OF PROPOSED TRIAL EXHIBITS
AND REQUEST FOR EXPEDITED BRIEFING AND RULING**

Pursuant to Rule 4.3(b) of the Federal Trade Commission's Rules of Practice, 16 C.F.R. § 4.3(b), non-party Sony Interactive Entertainment LLC ("SIE") respectfully moves this Court for a seven-day extension of time to May 21, 2025 to file its motion for *in camera* treatment of proposed trial exhibits, in line with the motion filed by Nintendo of America, Inc. on May 8, 2025. Complaint Counsel and Respondents' counsel have indicated that they take no position on this relief and have indicated they do not intend to file any briefing in response to this motion.

Under this Court's scheduling order, non-party SIE's motion for *in camera* treatment of proposed trial exhibits is due to be filed one week after issuance of the Ninth Circuit's opinion in the FTC's appeal from the Northern District of California's denial of its request for a preliminary injunction. *See* Order Granting Joint Motion for Third Revised Scheduling Order, at 1-2 (Dec. 15, 2023) ("Scheduling Order"). The Ninth Circuit issued its opinion on May 7, 2025. *Fed. Trade Comm'n v. Microsoft Corp.*, No. 23-15992, 2025 WL 1319069 (9th Cir. May 7, 2025), ECF No. 127. The deadline for *in camera* motions is thus May 14, 2025.

PUBLIC

The parties have indicated that they intend to use more than 300 SIE documents at the hearing before this Court. The parties' exhibit lists go well beyond the limited set of documents and testimony that the parties introduced at the district court's evidentiary hearing on the FTC's request for a preliminary injunction. *See, e.g.*, Ex. A (district court's sealing order regarding evidentiary hearing exhibits, listing eight SIE exhibits). In addition to SIE's documents, the list also includes hundreds of pages of deposition transcripts from multiple deponents. These exhibits contain competitively sensitive information that will require extensive redaction from the public record. *See id.* (identifying types of competitive information found in SIE's documents and the harm that would result from public disclosure of those documents).

The FTC has not stated whether it intends to continue to pursue this proceeding. In order to comply with the current deadline, SIE will have to expend enormous time and resources to prepare its motion for *in camera* treatment. Those efforts may be an enormous waste if the Commission decides not to pursue this action. SIE therefore requests a short, 7-day extension of time to file its motion for *in camera* treatment of the parties' proposed trial exhibits.

SIE respectfully requests expedited briefing and disposition of this motion. Responses to a motion are ordinarily due 10 days after service of the motion, with the Court's ruling due 14 days thereafter. 16 C.F.R. § 3.22(d)-(e). But this Court may shorten those time periods for good cause shown. *See, e.g.*, Order Denying Complaint Counsel's Request for Expedited Briefing and Ruling, at 1 (Oct. 11, 2023) (summarizing applicable legal standard under 16 C.F.R. § 4.3(b)). Good cause exists, as without expedited treatment, SIE must start preparing its motion for *in camera* treatment immediately if it is going to meet the current May 14, 2025 deadline. (Under the normal briefing schedule, the parties' oppositions to this motion would not be due until May

PUBLIC

19, 2025—after SIE’s deadline will have already passed). That the parties have confirmed they take no position on this motion indicates that expedited relief will not prejudice either party.

For the foregoing reasons, SIE respectfully requests that this Court grant the requested relief pursuant to 16 C.F.R. § 4.3(b). A proposed order is attached.

PUBLIC

Dated: May 9, 2025

Respectfully submitted,

/s/ C. Lawrence Malm

Carl Lawrence Malm

2112 Pennsylvania Avenue, N.W.

Washington, D.C. 20037

Telephone: (202) 974-1500

Facsimile: (202) 974-1999

lmalm@cgsh.com

CLEARY GOTTlieb STEEN & HAMILTON LLP

*Counsel for Non-Party Sony Interactive
Entertainment LLC*

PUBLIC

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.

DOCKET NO. 9412

**[PROPOSED] ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE
MOTION FOR *IN CAMERA* TREATMENT OF PROPOSED TRIAL EXHIBITS**

Upon consideration of non-party Sony Interactive Entertainment LLC’s (“SIE”) Motion to Extend Time to File Motion for *In Camera* Treatment of Proposed Trial Exhibits, it is hereby:

ORDERED that SIE’s motion is GRANTED, and SIE’s deadline to file any motion seeking *in camera* treatment of proposed trial exhibits is extended by seven days to May 21, 2025.

Date: _____

D. Michael Chappell
Chief Administrative Law Judge

PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2025, 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
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, D.C. 20580
ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW., Rm. H-110
Washington, D.C. 20580
OALJ@ftc.com

I also certify that I caused the foregoing document to be served via email to:

Complaint Counsel

James Abell
Meredith Levert
Cem Akleman
Amanda Butler
Merrick Pastore
Nicole Callan
Ethan Gurwitz
Maria Cirincione
James Gossmann
Stephen Santulli
Edmund Saw
Michael A. Franchak
Peggy Bayer Femenella
Michael Blevins
Kassandra DiPietro
J. Alexander Ansaldo
David E. Morris
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, D.C. 20580
(202) 326-2289
jabell@ftc.gov
mlevert@ftc.gov
cakleman@ftc.gov
abutler2@ftc.gov
mpastore@ftc.gov

PUBLIC

ncallan@ftc.gov
egurwitz@ftc.gov
mcirincione@ftc.gov
jgossmann@ftc.gov
ssantulli@ftc.gov
esaw@ftc.gov
mfranchak@ftc.gov
pbayerfemenella@ftc.gov
mblevins@ftc.gov
kdipietro@ftc.gov
jansaldo@ftc.gov
dmorris1@ftc.gov

Counsel for Respondent Microsoft Corp.

Beth Wilkinson
Rakesh N. Kilaru
Sarah E. Neuman
Kieran Gostin
Alysha Bohanon
Anthony P. Ferrara
Wilkinson Stekloff LLP
2001 M Street, NW
Washington, D.C. 20036
(202) 847-4010
bwilkinson@wilkinsonstekloff.com
rkilaru@wilkinsonstekloff.com
sneuman@wilkinsonstekloff.com
kgostin@wilkinsonstekloff.com
abohanon@wilkinsonstekloff.com
aferrara@wilkinsonstekloff.com

Michael Moiseyev
Megan Granger
Weil, Gotshal & Manges LLP
2001 M Street, NW
Washington, D.C. 20036
(202) 682-7235
michael.moiseyev@weil.com
megan.granger@weil.com

PUBLIC

Counsel for Respondent Activision-Blizzard, Inc.

Steven C. Sunshine
Julia K. York
Jessica R. Watters
Skadden, Arps, Slate, Meagher & Flom LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005
(202) 271-7860
steve.sunshine@skadden.com
julia.york@skadden.com
jessica.watters@skadden.com

Maria A. Raptis
Matthew M. Martino
Michael J. Sheerin
Evan R. Kreiner
Bradley J. Pierson
Skadden, Arps, Slate, Meagher & Flom LLP
One Manhattan West
New York, NY 10001
(212) 735-2425
maria.raptis@skadden.com
matthew.martino@skadden.com
michael.sheerin@skadden.com
evan.kreiner@skadden.com
bradley.pierson@skadden.com

By: /s/ C. Lawrence Malm
Carl Lawrence Malm

EXHIBIT A

PUBLIC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,
Plaintiff,
v.
MICROSOFT CORPORATION, et al.,
Defendants.

Case No. 23-cv-02880-JSC

**ORDER RE: OMNIBUS
ADMINISTRATIVE MOTION TO
SEAL EXHIBITS**

United States District Court
Northern District of California

This Order addresses all outstanding requests to seal the trial exhibits in this matter. On July 26, 2023, the Court resolved some of the parties' sealing requests and ordered the parties to submit an omnibus motion addressing any outstanding issues related to trial exhibits. (Dkt. No. 335.) Having reviewed the parties' omnibus motion, the Court rules as set forth in Exhibit A.

The parties shall meet and confer, and on or before September 14, 2023, Microsoft shall submit to the Court via a secure cloud link a copy of all the admitted exhibits with the redactions as set forth in this Order and the Court's prior order (Dkt. No. 335).

For those exhibits which were not admitted into evidence, they are not part of the record and shall not be uploaded with the admitted trial exhibits.

This Order disposes of Docket No. 349.

IT IS SO ORDERED.

Dated: September 7, 2023


JACQUELINE SCOTT CORLEY
United States District Judge

PUBLIC

EXHIBIT A¹

Designating Party	Portions of Exhibits Requested to be Sealed by Designating Party	Reasons Proffered for Sealing (Dkt. No. 349)	Ruling on Motion
Activision	PX2094 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal presentations discussing business strategy, which could be used to injure Activision if made publicly available.	GRANTED.
Activision	PX2138 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal presentations discussing business strategy, which could be used to injure Activision if made publicly available.	GRANTED.
Activision	PX2167 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal presentations discussing business strategy, which could be used to injure Activision if made publicly available.	GRANTED.
Activision	Specified portions of PX2133	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, business partnerships, terms of existing confidential agreements, and revenue figures and projections, which could be used to injure	GRANTED.

¹ To the extent the parties have revised the scope of the redactions requested, this Order supersedes any prior order regarding the scope of the allowable redactions.

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		Activision if made publicly available.	
Activision	Specified portions of PX2421	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, business partnerships, and terms of existing confidential agreements, which could be used to injure Activision if made publicly available.	GRANTED.
Google	PX 8003: ¶2:10-11, ¶15:10	Competitive interests warrant sealing details regarding Google’s financial investment in its Stadia business which, if disclosed, would reveal Google’s forward-looking business strategy, causing injury to Google.	GRANTED.
Google	PX8003: ¶9, ¶20:1-2, ¶21:5	Competitive interests warrant sealing actual and forecasted user totals for Google’s Stadia service which, if disclosed, would reveal Google’s forward-looking business strategy, causing injury to Google.	GRANTED.
Google	PX8003: ¶21:8	Confidentiality and competitive interests warrant sealing the identities of Google’s customers which, if disclosed, would harm Google’s ability to contract with third parties and allow Google’s competitors to target those customers.	GRANTED.
Google	Specified portions of PX7063	Competitive interests warrant sealing details of Google’s cloud-gaming service that would reveal Google’s forward-looking business practices, confidential negotiations, and confidential employee information, causing injury to Google.	DENIED as moot because the exhibit was not admitted into evidence. (Dkt. No. 335 at 2.)
Google	Specified portions of PX3058	Competitive interests warrant sealing details regarding Google’s financial investment in its Stadia business which, if disclosed, could reveal Google’s forward-looking business strategies, causing injury to Google.	DENIED as moot because the exhibit was not admitted into evidence. (Dkt. No. 335 at 2.)
Microsoft	PX0003 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Microsoft	PX0006 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX0014 in its entirety	This portion contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, future business strategy, market share analyses, assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available. This document is a confidential submission to a regulator.	GRANTED.
Microsoft	Specified portions of PX0038	Contains non-public and highly sensitive information including, but not limited to, investment decisions, future business strategy, strategic evaluation of forward-looking opportunities, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1025 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, strategic evaluation of forward-looking opportunities, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1065 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available	DENIED in part as to the portions discussed in open court on June 23, 2023 and as to the “Strategy Overview” Section on page PX1065-003, excluding specific numbers, due to its use in this Court’s opinion.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Microsoft	Specified portions of PX1070	Contains non-public and highly sensitive information including, but not limited to, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1075 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, assessment of the competitive landscape, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1087	Contains non-public and highly sensitive information including, but not limited to, future business strategy, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1102 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, internal financial/revenue information or projections, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1110 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available	GRANTED.
Microsoft	Specified portions of PX1136	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		publicly available.	
Microsoft	PX1145 in its entirety	Contains non-public and highly sensitive information including, but not limited to, future business strategy, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	DENIED in part as to the portions discussed in open court on June 23, 2023.
Microsoft	Specified portions of PX1151	Contains non-public and highly sensitive information including, but not limited to business partnerships and future business strategy which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1154	Contains non-public and highly sensitive information including, but not limited to business partnerships and future business strategy which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1240	Contains non-public and highly sensitive information including, but not limited to, detailed metrics used for analysis of gaming business, investment decisions, future business strategy, market share analyses, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1274	Contains non-public and highly sensitive information including, but not limited to, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1275	Contains non-public and highly sensitive information including, but not limited to, assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1283	Contains non-public and highly sensitive information including, but not limited to, strategic evaluation of forward-looking opportunities, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1324 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, future business strategy, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1425 in its entirety	Contains non-public and highly sensitive information including, but not limited to, investment decisions, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Microsoft	PX1471 in its entirety	Contains non-public and highly sensitive information including, but not limited to, investment decisions, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1476 in its entirety	Contains non-public and highly sensitive information including, but not limited to, future business strategy, assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1516	Contains non-public and highly sensitive information including, but not limited to, detailed metrics used for analysis of gaming business, investment decisions, future business strategy, market share analyses, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1517 in its entirety	Contains non-public and highly sensitive information including, but not limited to, future business strategy, strategic evaluation of forward-looking opportunities, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1529	Contains non-public and highly sensitive information including, but not limited to, investment decisions, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available	GRANTED.
Microsoft	Specified portions of PX1538	Contains non-public and highly sensitive information including, but not limited to, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1571 in its entirety	Contains non-public and highly sensitive information including, but not limited to, assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1603 in its entirety	Contains non-public and highly sensitive information including, but not limited to, future business strategy and internal user data, which could be used to injure the designating parties if made publicly available.	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Microsoft	PX1613 in its entirety	Contains non-public and highly sensitive information including, but not limited to, assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available	GRANTED.
Microsoft	PX1624 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, and future business strategy, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1747 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1763	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, strategic evaluation of forward-looking opportunities, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available	GRANTED.
Microsoft	Specified portions of PX1777	Contains non-public and highly sensitive information including, but not limited to, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1828 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, future business strategy, and internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1877 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes and future business strategy, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX1889 in its entirety	Contains non-public and highly sensitive information including, but not limited to strategic evaluation of forward-looking opportunities, which could be used to injure Microsoft if made publicly available.	GRANTED.
Microsoft	PX1897 in its entirety	Contains non-public and highly sensitive information including, but not limited to, future business strategy and assessment of the	DENIED. Discussed at length in open

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		competitive landscape, which could be used to injure the designating parties if made publicly available.	court on June 23, 2023.
Microsoft	Specified portions of PX1949	Contains non-public and highly sensitive information including, but not limited to, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1950	Contains non-public and highly sensitive information including, but not limited to, future business strategy, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1951	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, future business strategy, strategic evaluation of forward-looking opportunities, internal user data, and potential business partnerships, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX1966	Contains non-public and highly sensitive information including, but not limited to, investment decisions, future business strategy, internal financial/revenue information or projections, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX3109	Contains non-public and highly sensitive information including, but not limited to, terms of proposed confidential agreements, which could be used to injure Microsoft if made publicly available.	GRANTED.
Microsoft	Specified portions of PX4005	Contains non-public and highly sensitive information including, but not limited to, strategic evaluation of forward-looking opportunities, confidential terms of existing agreements, potential business partnerships/negotiations, and evaluation of a third-party partner, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX4028 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, future business strategy, and internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX4029 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes,	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		investment decisions, and future business strategy, which could be used to injure the designating parties if made publicly available.	
Microsoft	Specified redactions of PX4066	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, and future business strategy, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX4157	Contains non-public and highly sensitive information including, but not limited to strategic evaluation of forward-looking opportunities, which could be used to injure Microsoft if made publicly available	GRANTED.
Microsoft	PX4267 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX4303	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, strategic evaluation of forward-looking opportunities, internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX4334	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, internal financial/revenue information or projections, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Microsoft previously sought in camera treatment for this exhibit at ECF No. 261, and now seeks redactions in light of its use at the evidentiary hearing.	GRANTED.
Microsoft	Specified portions of PX4341	Contains non-public and highly sensitive information including, but not limited to, confidential revenue figures and projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX4344	Contains non-public and highly sensitive information including, but not limited to, confidential revenue figures and projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX4351	Contains non-public and highly sensitive information including, but not limited to, business partnerships, which could be used to injure the designating parties if made publicly	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		available.	
Microsoft	PX4430 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal financial/revenue information or projections and confidential terms of existing agreements, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX4505 in its entirety	Contains non-public and highly sensitive information including, but not limited to, future business strategy and assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX4629 in its entirety	Contains non-public and highly sensitive information including, but not limited to, assessment of the competitive landscape which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX4647 in its entirety	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, assessment of the competitive landscape, and internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	PX4673 in its entirety	Contains non-public and highly sensitive information including, but not limited to, future business strategy and internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of PX4695	Contains non-public and highly sensitive information including, but not limited to, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, potential business partnerships/negotiations, presented under a non-disclosure agreement, which could be used to injure the designating parties if made publicly available. This document was mistakenly described as a “webpage” on the FTC’s exhibit list, but it is not a public document. It is a confidential Xbox presentation.	GRANTED.
Microsoft	PX5000 in its entirety	This expert report contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations,	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		<p>which could be used to injure the designating parties if made publicly available. Additionally, each of the expert reports in this matter contain confidential information submitted by numerous third parties who are not able to view the full reports to determine what of their information should be sealed. Accordingly, Microsoft requests that the Court grant continued in camera treatment to the expert reports.</p>	
Microsoft	Specified portions of PX7011	<p>Portions of this investigative hearing transcript contain non-public and highly sensitive information, including, but not limited to, internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, and internal discussions of business strategy, which could be used to injure Microsoft if made publicly available.</p>	GRANTED.
Microsoft	Specified portions of PX7014	<p>Portions of this investigative hearing transcript contain non-public and highly sensitive information, including, but not limited to, internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, and internal discussions of business strategy, which could be used to injure Microsoft if made publicly available.</p>	GRANTED.
Microsoft	Specified portions of PX7046	<p>Portions of this deposition transcript contains non-public and highly sensitive information, including, but not limited to, internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, and internal discussions of business strategy, which could be used to injure Microsoft if made publicly available.</p>	GRANTED.
Microsoft	Specified portions of RX1080	<p>Contains non-public and highly sensitive information including, but not limited to, revenue figures and projections, which could be used to injure the designating parties if made publicly available.</p>	GRANTED.
Microsoft	RX1105 in its entirety	<p>Contains non-public and highly sensitive information including, but not limited to, investment decisions, strategic evaluation of forward-looking opportunities, and assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available.</p>	GRANTED.
Microsoft	Specified portion of	<p>Contains non-public and highly sensitive information including, but not limited to,</p>	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	RX1120	forward-looking opportunities and internal discussion of business strategy, which could be used to injure the designating parties if made publicly available.	
Microsoft	Specified portions of RX1128	Contains non-public and highly sensitive information including, but not limited to, revenue figures and projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of RX1133	Contains non-public and highly sensitive information including, but not limited to, strategic evaluation of forward-looking opportunities and internal discussion of business strategy, which could be used to injure the designating parties if made publicly available	GRANTED.
Microsoft	Specified portions of RX1137	Contains non-public and highly sensitive information including, but not limited to, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, and potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	RX1140 in its entirety	Contains non-public and highly sensitive information including, but not limited to, investment decisions, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, and internal financial/revenue information or projections, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	Specified portions of RX1154	Contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	RX1211 in its entirety	Contains non-public and highly sensitive information including, but not limited to confidential terms of existing agreements, and potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Although the existence of the agreement is public (and was cited in the Court's opinion), the agreement itself remains highly confidential.	GRANTED.
Microsoft	RX1212 in its entirety	Contains non-public and highly sensitive information including, but not limited to confidential terms of existing agreements, and potential business partnerships/negotiations, which could be used to injure the designating	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		parties if made publicly available. Although the existence of the agreement is public (and was cited in the Court’s opinion), the agreement itself remains highly confidential.	
Microsoft	RX1245 in its entirety	Contains non-public and highly sensitive information including, but not limited to confidential terms of existing agreements, and potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Although the existence of the agreement is public (and was cited in the Court’s opinion), the agreement itself remains highly confidential.	GRANTED.
Microsoft	RX2170 in its entirety	Contains non-public and highly sensitive information including, but not limited to confidential terms of existing agreements, and potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Although the existence of the agreement is public (and was cited in the Court’s opinion), the agreement itself remains highly confidential.	GRANTED.
Microsoft	RX3024 in its entirety	Contains non-public and highly sensitive information including, but not limited to confidential terms of existing agreements, and potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Although the existence of the agreement is public (and was cited in the Court’s opinion), the agreement itself remains highly confidential.	GRANTED.
Microsoft	RX3025 in its entirety	Contains non-public and highly sensitive information including, but not limited to confidential terms of existing agreements, and potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Although the existence of the agreement is public (and was cited in the Court’s opinion), the agreement itself remains highly confidential.	GRANTED.
Microsoft	RX3027 in its entirety	Contains non-public and highly sensitive information including, but not limited to confidential terms of existing agreements, and potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Although the existence of the agreement is public (and was cited in the Court’s opinion), the agreement itself remains highly confidential.	GRANTED.
Microsoft	Specified portions of RX3166	Contains non-public and highly sensitive information including, but not limited to, internal presentations discussing business strategy, which could be used to injure the designating if made publicly available.	GRANTED.
Microsoft	Specified portions of	Contains non-public and highly sensitive information including, but not limited to sales	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	RX5046	data and trends, which could be used to injure Microsoft if made publicly available.	
Microsoft	Specified portions of RX5054	Contains non-public and highly sensitive information including, but not limited to, market share analyses, assessment of the competitive landscape, which could be used to injure the designating parties if made publicly available.	GRANTED.
Microsoft	RX5055 in its entirety	This expert report contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Additionally, each of the expert reports in this matter contain confidential information submitted by numerous third parties who are not able to view the full reports to determine what of their information should be sealed. Accordingly, Microsoft requests that the Court grant continued in camera treatment to the expert reports.	GRANTED.
Microsoft	RX5056 in its entirety	This expert report contains non-public and highly sensitive information including, but not limited to, internal decision-making processes, investment decisions, future business strategy, market share analyses, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, internal financial/revenue information or projections, internal user data, confidential terms of existing agreements, potential business partnerships/negotiations, which could be used to injure the designating parties if made publicly available. Additionally, each of the expert reports in this matter contain confidential information submitted by numerous third parties who are not able to view the full reports to determine what of their information should be sealed. Accordingly, Microsoft requests that the Court grant continued in camera treatment to the expert reports.	GRANTED.
Nintendo	PX3218 in its entirety	This exhibit is a sensitive and confidential email between Nintendo and content publishers/ providers, including Microsoft and Activision, to discuss and negotiate business deals. Disclosing these discussions would allow competitors to leverage confidential	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		negotiation points in future negotiations with Nintendo that would adversely affect Nintendo's negotiation position.	
Nintendo	Specified portions of PX3225	Contains a draft agreement between Nintendo and Microsoft, including proposed edits and redlines. Such information is highly confidential as it reveals the negotiation process for a contractual agreement. Public disclosure would result in competitive harm to Nintendo as competitors would undoubtedly use such information in potential future negotiations with Nintendo.	GRANTED.
Nintendo	Specified portions of PX3233	Contains a draft agreement between Nintendo and Microsoft, including proposed edits and redlines. Such information is highly confidential as it reveals the negotiation process for a contractual agreement. Public disclosure would result in competitive harm to Nintendo as competitors would undoubtedly use such information in potential future negotiations with Nintendo.	GRANTED.
Nintendo	PX 3234 in its entirety	This exhibit is a sensitive and confidential email between Nintendo and content publishers/ providers, including Microsoft and Activision, to discuss and negotiate business deals. Disclosing these discussions would allow competitors to leverage confidential negotiation points in future negotiations with Nintendo that would adversely affect Nintendo's negotiation position.	GRANTED.
Nintendo	Internal Nintendo employee email addresses	All of Nintendo's exhibits referenced above contain internal Nintendo email addresses. There is no public interest in such information and therefore no legitimate need for it to be publicly disclosed.	GRANTED.
Sony	Specified portions of RX0020	This exhibit contains non-public and highly sensitive information about Sony negotiations with third party partners and discussions of particular contract terms with particular partners negotiations with third party partners and discussions of particular contract terms with particular partners.	GRANTED.
Sony	Specified portions of RX0075	This exhibit contains non-public and highly sensitive information about SIE's business strategies, competitive business plans, future investment plans, console and product development plans, product roadmaps, or innovation plans as well as SIE business analysis regarding competitors' and commercial partners' behavior and products.	GRANTED.
Sony	PX3080 in its entirety	Contains non-public and highly sensitive information about SIE's business strategies, competitive business plans, future investment plans, console and product development plans, product roadmaps, or innovation plans as well as SIE business analysis regarding	GRANTED.

PUBLIC

United States District Court
 Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

		competitors' and commercial partners' behavior and products.	
Sony	RX0700	Contains non-public and highly sensitive information about SIE's business strategies, competitive business plans, future investment plans, console and product development plans, product roadmaps, or innovation plans, SIE's approach to contract negotiations with third party partners and discussions of particular contract terms with particular partners, as well as SIE business analysis regarding competitors' and commercial partners' behavior and products.	GRANTED for the reasons previously stated on the record.
Sony	RX2069	Contains non-public and highly sensitive information about SIE's business strategies, competitive business plans, future investment plans, console and product development plans, product roadmaps, or innovation plans as well as SIE business analysis regarding competitors' and commercial partners' behavior and products.	GRANTED for the reasons previously stated on the record.
Sony	RX2163	Contains non-public and highly sensitive information about SIE's business strategies, competitive business plans, future investment plans, console and product development plans, product roadmaps, or innovation plans as well as SIE business analysis regarding competitors' and commercial partners' behavior and products.	GRANTED for the reasons previously stated on the record.
Sony	RX2098	Contains non-public and highly sensitive information about SIE's approach to contract negotiations with third party partners and discussions of particular contract terms with particular partners as well as SIE business analysis regarding competitors' and commercial partners' behavior and products.	GRANTED for the reasons previously stated on the record.
Sony	Specified portions of RX5000	Contains non-public and highly sensitive information about SIE data, analysis, and survey results relating to SIE product strategy and platform users' behavior on SIE's platform, including user engagement, gameplay, spend, likelihood of switching, or potential competitive impacts of Microsoft's proposed acquisition of Activision, SIE's approach to contract negotiations with third party partners and discussions of particular contract terms with particular partners, the nature and scope of SIE's technical collaboration with particular publishers, as well as SIE business analysis regarding competitors' and commercial partners' behavior and products.	Not admitted into evidence.

PUBLIC

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: May 9, 2025

/s/ C. Lawrence Malm

Carl Lawrence Malm
2112 Pennsylvania Avenue, N.W.
Washington, D.C. 20037
Telephone: (202) 974-1500
Facsimile: (202) 974-1999
ebennett@cgsh.com
ecoraor@cgsh.com
lmalm@cgsh.com

CLEARY GOTTlieb STEEN & HAMILTON LLP

*Counsel for Non-Party Sony Interactive
Entertainment LLC*