

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Andrew N. Ferguson, Chairman
Melissa Holyoak
Mark R. Meador

In the Matter of

Microsoft Corp.,
a corporation,

and

Activision Blizzard, Inc.,
a corporation.

DOCKET NO. 9412

ORDER GRANTING JOINT MOTION TO CHANGE HEARING DATE AND
VACATE ALL INTERIM PRETRIAL DEADLINES

On December 8, 2022, the Commission issued an administrative complaint seeking to block the acquisition of Activision Blizzard, Inc. by Microsoft Corp. On June 12, 2023, Commission staff filed a Complaint in the United States District Court for the Northern District of California seeking to enjoin the transaction pending completion of the administrative proceeding. The district court held an evidentiary hearing and denied the request for preliminary injunction. *FTC v. Microsoft Corp.*, 681 F. Supp.3d 1069 (N.D. Cal. 2023). The Commission appealed the district court's decision to the United States Court of Appeals for the Ninth Circuit. On May 7, 2025, the Ninth Circuit affirmed the decision of the district court denying the Commission's application for a preliminary injunction. The evidentiary hearing in the administrative proceeding is set to commence on May 28, 2025, twenty-one days after the Ninth Circuit issued its opinion on the Commission's appeal. *See* Order Returning Matter to Adjudication (Sept. 26, 2023).

On May 11, 2025, Complaint Counsel and Respondents filed a Joint Motion to Change Hearing Date and Vacate all Interim Pretrial Deadlines. The parties ask the Commission to change the date of the evidentiary hearing to July 21, 2025, and vacate all interim pretrial deadlines under the Third Revised Scheduling Order until further order of the Office of Administrative Law Judges. The parties explain that the rescheduled hearing date would avoid unnecessarily burdening nonparties, Complaint Counsel, and Respondents with a compressed pretrial schedule.

Commission Rules 3.41 and 4.3 provide that the Commission “may order a later date for the evidentiary hearing to commence” and may extend any time limit for good cause shown. 16 C.F.R. §§ 3.41, 4.3. Under the circumstances presented in the Joint Motion, we find good cause to reschedule the evidentiary hearing to commence on July 21, 2025, and to vacate all interim pretrial deadlines. Accordingly,

IT IS HEREBY ORDERED that the Joint Motion to Change Hearing Date and Vacate all Interim Pretrial Deadlines, filed on May 11, 2025, is **GRANTED**, and that the evidentiary hearing in this proceeding shall commence at 10:00 a.m. on July 21, 2025; and

IT IS FURTHER ORDERED that all interim pretrial deadlines under the Third Revised Scheduling Order are vacated until further order of the presiding Administrative Law Judge.

By the Commission.



April J. Tabor
Secretary

SEAL:
ISSUED: May 19, 2025