

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

H&R BLOCK, INC.;
2SS HOLDINGS, INC.; and
TA IX L.P.,

Defendants.

Civil Action No. 11-00948 (BAH)
Judge Beryl A. Howell

**JOINT SUBMISSION REGARDING PROPOSED HEARING LENGTH
AND FINDINGS OF FACT**

Pursuant to Section XIX of the Joint Scheduling and Case Management Order entered by this Court on July 6, 2011 (“Scheduling Order”), the Parties hereby submit this Joint Submission Regarding Proposed Hearing Length and Findings of Fact.

After conferring about the likely number of fact witnesses and experts that the Parties will each call (limited by the Scheduling Order to no more than eight (8) fact witnesses and four (4) expert witnesses), the Parties jointly propose that each side be limited to twenty-five (25) total hours of testimony for their cases in chief, not to include their respective opening and closing statements, and that Plaintiff also have an additional six (6) total hours of rebuttal time (if necessary) with Defendants having no more than three (3) hours of time to cross-examine Plaintiff’s rebuttal witnesses. Both sides believe that this will provide adequate time for them to put on their respective cases in a concise and expedient manner. The Parties further propose that each side have up to one (1) hour for their respective opening statements and up to one (1) hour for their respective closing statements.

The Parties further propose that they not be required to submit findings of fact to the Court as part of the Joint Pre-Trial Statement that is due on August 18, 2011 under the Scheduling Order. While typically required by Paragraph 11(a)(ix) of this Court's Standing Order for Civil Cases, the Parties agree that given the expedited discovery period and briefing schedule in this case, any findings of fact submitted to the Court on August 18, 2011 would be highly duplicative of the preliminary injunction brief, opposition and reply that are due on August 1, 2011; August 12, 2011; and August 18, 2011, respectively. Should the Court wish that such findings of fact be later submitted (*i.e.*, following the hearing), the Parties are both prepared to complete them on an expedited basis.

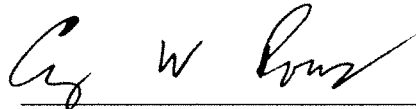
Dated July 29, 2011.

Respectfully submitted,

/s/ Lawrence E. Buterman

Lawrence E. Buterman
United States Department of Justice
Antitrust Division
450 5th Street, NW, Suite 7100
Washington, DC 20530
(202) 532-4575
lawrence.buterman@usdoj.gov

On behalf of Plaintiff



Corey Roush
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
(202) 202 637 5731
corey.roush@hoganlovells.com

On behalf of Defendants