

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

SPRINT NEXTEL CORP.

Plaintiff,

v.

AT&T INC., et al.,

Defendants.

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) **Civil Action No. 11-1600 (ESH)**
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ORDER

Upon consideration of defendants' Motion to Dismiss [Dkt. No. 16], plaintiff's Opposition [Dkt. No. 26], defendants' Reply [Dkt. No. 27], and the arguments before the Court on October 24, 2011, for the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that defendants' Motion to Dismiss is **GRANTED** in part and **DENIED** in part; it is further

ORDERED that defendants' motion is **DENIED** insofar as it challenges plaintiff's claims to antitrust injury with regard to the proposed acquisition's effects on the market for mobile wireless devices; it is further

ORDERED that defendants' motion is **GRANTED** as to all other claims; it is further

ORDERED that, in addition to complying with the forthcoming order regarding an Initial Scheduling Conference set for December 9, 2011, at 9:30 a.m., the parties shall jointly propose a protective order that will govern this case; and it is further

ORDERED that the parties shall confer as to whether they will agree to refer discovery matters to a special master as has been done in *United States v. AT&T*, No. 11-cv-1560 (D.D.C.)

