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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 FEDERAL TRADE COMMISSION,

15 Plaintiff,

16 v.

17 PUBLISHERS BUSINESS SERVICES,
18 INC., et al.,

19 Defendants.

Case No. 2:08-cv-00620-APG-GWF

JOINT STATUS REPORT RE
SETTLEMENT NEGOTIATIONS
AND SECOND STIPULATED
REQUEST FOR EXTENSION OF
TIME TO COMPLY WITH AUGUST
5, 2021 ORDER ON MANDATE
[DOCKET #344]; ORDER
THEREON

20 Plaintiff Federal Trade Commission (“FTC”) and Defendants Publishers
21 Business Services, Inc., Ed Dantuma Enterprises, Inc., Dirk Dantuma, Dries
22 Dantuma, Jeffrey Dantuma, and Brenda Dantuma Schang (“Defendants”) hereby
23 submit a Joint Status Report, pursuant to the Court’s August 26, 2021 Order on the
24 parties’ “First Stipulated Request for Extension of Time to Comply with August 5,
25 2021 Order on Mandate” (docket #346). In addition, the parties respectfully
26 stipulate and request that the Court extend the deadline for the parties to comply
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1 with the Court’s August 5, 2021 Order (docket #344) from October 12, 2021 to
2 December 14, 2021. This is the parties’ second requested extension of time.

3 On June 10, 2021, the Ninth Circuit issued a judgment affirming in part,
4 vacating in part, and remanding the Judgment of this Court in the above-captioned
5 action. On August 5, 2021, this Court entered an Order (docket #344) consistent
6 with the Ninth Circuit’s mandate and ordering the parties, Plaintiff Federal Trade
7 Commission and Defendants Publishers Business Services, Inc., Ed Dantuma
8 Enterprises, Inc., Dirk Dantuma, Dries Dantuma, Jeff Dantuma, and Brenda
9 Dantuma Schang, to confer about a Stipulated Judgment resolving this case. The
10 Order requires the parties to file, by August 31, 2021, an appropriate stipulation, or
11 if they cannot agree, joint or separate briefs explaining the areas of disagreement
12 and a proposed briefing schedule on all remaining issues. On August 26, 2021, the
13 Court granted the parties’ “First Stipulated Request for Extension of Time to
14 Comply with August 5, 2021 Order on Mandate” (docket #346), allowing the
15 parties to file this Joint Status Report by October 12, 2021.

16 In accordance with the Court’s August 5, 2021 Order, the parties have
17 engaged in good faith, meaningful settlement discussions, which are ongoing. The
18 parties have made substantial progress in settlement negotiations but need
19 additional time to try to reach an agreement. Before the FTC can present a
20 proposed settlement agreement to the Court, any proposed settlement will need to
21 be reviewed and approved by the FTC’s Bureau of Consumer Protection and then
22 by a majority vote of the Federal Trade Commission.

23 Counsel for the parties anticipate that a nine-week extension of time will be
24 sufficient to determine whether the parties can settle this matter or will need to file
25 briefs on areas of disagreement. The parties thus respectfully request an extension
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1 of time through and including December 14, 2021 for the filing of a second status
2 report on the progress of their settlement negotiations.

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4 Respectfully submitted,

5 Dated: October 8, 2021

Dated: October 8, 2021

6 FEDERAL TRADE COMMISSION
7 /s/ Faye Chen Barnouw
8 Faye Chen Barnouw
9 Maricela Segura
10 Attorneys for Plaintiff
11 Federal Trade Commission

HOMER BONNER
/s/ Peter W. Homer
Peter W. Homer
Attorney for Defendants
Publishers Business Services, Inc., Ed
Dantuma Enterprises, Inc., Dirk
Dantuma, Dries Dantuma, Jeff
Dantuma, and Brenda Dantuma Schang

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13 IT IS SO ORDERED:

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15 HONORABLE ANDREW P. GORDON
16 UNITED STATES DISTRICT JUDGE

17 DATED: October 8, 2021
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