

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Lina M. Khan, Chair**
 Rebecca Kelly Slaughter
 Alvaro M. Bedoya

<p>In the Matter of</p> <p>IQVIA Holdings Inc., a corporation,</p> <p>and</p> <p>Propel Media, Inc., a corporation.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>DOCKET NO. 9416</p> <p>PUBLIC VERSION</p>
---	---	--

**JOINT MOTION TO WITHDRAW THIS PROCEEDING FROM
ADJUDICATION**

Complaint Counsel and Respondents IQVIA Holdings Inc. and Propel Media, Inc. jointly move the Commission to withdraw this matter from adjudication. Complaint Counsel has secured a preliminary injunction in this matter [REDACTED]

[REDACTED]

On July 17, 2023, the FTC filed a Complaint for a Temporary Restraining Order and Preliminary Injunction in the United States District Court for the Southern District of New York pursuant to Section 13(b) of the Federal Trade Commission Act. *See FTC v. IQVIA Holdings Inc.*, No. 1:23-cv-06188-ER, ECF No. 1 (S.D.N.Y. 2023). The district court held an evidentiary hearing on the FTC’s preliminary injunction request from November 20 to December 1, 2023. On December 29, 2023, the district court granted the preliminary injunction. *See id.*, ECF No. 324.

PUBLIC

Complaint Counsel initiated these administrative proceedings on July 17, 2023. On December 14, 2023, the Commission continued the evidentiary hearing, which had been scheduled to commence on December 20, 2023, to January 18, 2024, in light of the parallel federal court proceedings. *In re IQVIA Holdings Inc.*, No. 9416 (F.T.C. Dec. 14, 2023). There are several pending deadlines associated with the evidentiary hearing over the next few weeks, including a January 8, 2024 deadline for Complaint Counsel's pretrial brief, for motions *in limine*, and for motions for *in camera* treatment of proposed exhibits; a January 12, 2024 deadline for responses to the motions *in limine* and the motions for *in camera* treatment, as well as for proposed stipulations of law, facts, and authenticity; and a January 16, 2024 deadline for Respondents' pretrial briefing.

The parties respectfully submit that it would be in the interest of the Commission, the public, and the parties to remove this matter from adjudication because [REDACTED]. [REDACTED]. Once withdrawn, the Commission can evaluate whether further relief is warranted based on the facts of this specific case. If the matter is returned to adjudication, Respondents reserve all rights, including the right to appeal from the district court decision. Accordingly, Complaint Counsel and Respondents jointly request that the Commission exercise its discretion to withdraw this matter from adjudication.

Dated: January 3, 2024

Respectfully submitted,

/s/ Chantale Fiebig

PUBLIC

Chantale Fiebig
Mark A. Perry
Joshua M. Wesneski
WEIL, GOTSHAL & MANGES LLP
2001 M Street NW, Suite 600
Washington, DC 20036
Chantale.fiebig@weil.com
Mark.perry@weil.com
Joshua.wesneski@weil.com

Kenneth Reinker
CLEARY GOTTlieb STEEN & HAMILTON LLP
2112 Pennsylvania Avenue, NW
Washington, DC 20037
Tel: (202) 974-1500
kreinker@cgsh.com

Rahul Mukhi
CLEARY GOTTlieb STEEN & HAMILTON LLP
One Liberty Plaza
New York, NY 10006
Tel: (212) 225-2000
rmukhi@cgsh.com

Counsel for Respondent IQVIA Holdings, Inc.

/s/ Alexander P. Okuliar

Alexander P. Okuliar
David J. Shaw
Alexa Rae DiCunzolo
Evan Harris
Kevin Wang
Richelle German
Andrew J. Molina
aokuliar@mofocom
dshaw@mofocom
adicunzolo@mofocom
eharris@mofocom
kwang@mofocom
rgernan@mofocom
amolina@mofocom
MORRISON & FOERSTER LLP
2100 L Street, NW
Suite 900
Washington, DC 20037
Telephone: (202) 887-1500

PUBLIC

Michael B. Miller
Mika M. Fitzgerald
mbmiller@mofocom
mfitzgerald@mofocom
MORRISON & FOERSTER LLP
250 W. 55th St.
New York, NY 10019
Telephone: (212) 468-8000

Counsel for Respondent Propel Media, Inc.

/s/ Jennifer Fleury
Jennifer Fleury
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20850
jfleury@ftc.gov
Telephone: (202) 326-3805

Counsel Supporting the Complaint

PUBLIC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS: Lina M. Khan, Chair
 Rebecca Kelly Slaughter
 Alvaro M. Bedoya**

)		
In the Matter of)		
)		
IQVIA Holdings Inc.,)		
a corporation,)	DOCKET NO. 9416	
)		
and)	PUBLIC VERSION	
)		
Propel Media, Inc.,)		
a corporation.)		

[Proposed] Order Granting Joint Motion to Withdraw this Proceeding from Adjudication

Having considered the joint motion to withdraw this proceeding from adjudication, the motion is hereby GRANTED.

By the Commission.

ISSUED:

April J. Tabor
Secretary

Date: _____, 2024

PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that, on January 3, 2024, I caused the foregoing document to be electronically filed with the Secretary of the Commission using the Federal Trade Commission's e-filing system, causing the document to be served on all of the following registered participants:

April J. Tabor
Secretary of the Federal Trade Commission
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.gov

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

Jennifer Fleury
Jessica Moy
Stephen A. Mohr
Andrew S. Jordan
Wade Lippard
Michelle Seo
Jay Tymkovich
Stephanie Bovee
Habin Chung
Cory Gordon
Christina Perez
Anjelica Grace Sarmiento
William Sohn
Lily Verbeck
jfleury@ftc.gov
jmoy@ftc.gov
smohr@ftc.gov
jandrew@ftc.gov
wlippard@ftc.gov
mse@ftc.gov
jtymkovich@ftc.gov
sbovee@ftc.gov
hchungl@ftc.gov
cgordon@ftc.gov
cperez@ftc.gov
asarmiento@ftc.gov
wsohn@ftc.gov

lverbeck@ftc.gov
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, D.C. 205080
Tel: (202) 326-2381

Counsel Supporting the Complaint

Alexander P. Okuliar
David J. Shaw
Alexa Rae DiCunzolo
Evan Harris
Kevin Wang
Richelle Gernan
Andrew J. Molina
aokuliar@mofoc.com
dshaw@mofoc.com
adicunzolo@mofoc.com
eharris@mofoc.com
kwang@mofoc.com
rgernan@mofoc.com
amolina@mofoc.com
MORRISON & FOERSTER LLP
2100 L Street, NW
Suite 900
Washington, DC 20037
Telephone: (202) 887-1500

PUBLIC

Michael B. Miller
Mika M. Fitzgerald
mbmiller@mofocom
mfitzgerald@mofocom
MORRISON & FOERSTER LLP
250 W 55th St.
New York, NY 10019
Telephone: (212) 468-8000

Counsel for Respondent Propel Media, Inc.

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.

/s/ Chantale Fiebig

Chantale Fiebig