

PUBLIC

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of)
)
Asbury Automotive Group, Inc.,)
a corporation,)
)
Asbury Ft. Worth Ford, LLC, a limited liability)
company, also d/b/a David McDavid Ford)
Ft. Worth,)
)
McDavid Frisco – Hon, LLC, a limited)
liability company, also d/b/a David McDavid)
Honda of Frisco,)
)
McDavid Irving – Hon, LLC, a limited liability)
company, also d/b/a as David McDavid Honda)
of Irving, and)
)
Ali Benli, individually and as an officer)
of Asbury Ft. Worth Ford, LLC,)
McDavid Frisco – Hon, LLC, and)
McDavid Irving – Hon, LLC.)
)
Respondents. _____)

DOCKET NO. 9436

RESPONDENTS’ NOTICE TO FTC OF RELATED LITIGATION

Respondents hereby notify the Federal Trade Commission; Commissioners Lina M. Khan, Rebecca Kelly Slaughter, Alvaro Bedoya, Melissa Holyoak, and Andrew Ferguson; Administrative Law Judge Dania L. Ayoubi; and Complaint Counsel (collectively, the “FTC”) that Respondents are the named plaintiffs in litigation filed October 4, 2024 in the United States District Court for the Northern District of Texas, Ft. Worth Division, Case No. 4:24-cv-00950-O, styled *Asbury Automotive Group, Inc.; Asbury Ft. Worth Ford, LLC, d/b/a David McDavid Ford Ft. Worth; McDavid Frisco – Hon, LLC, d/b/a David McDavid Honda of Frisco; McDavid Irving – Hon, LLC, d/b/a as David McDavid Honda of Irving; and Ali Benli v. The Federal Trade*

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Commission and Lina M. Khan, Rebecca Kelly Slaughter, Alvaro Bedoya, Melissa Holyoak, and Andrew Ferguson in their official capacities as Commissioners of the Federal Trade Commission (the “Pending Litigation”). Respondents further notify the FTC that the relief sought in the Pending Litigation includes an injunction staying this proceeding pending adjudication of the claims alleged in their Complaint.

Dated: October 7, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2024, a correct and true copy of the foregoing document was served via email on all counsel of record: Jamie D. Brooks, Daniel Dwyer, James Doty, and Sarah Abutaleb.

I further certify that on October 7, 2024, a correct and true courtesy copy of the foregoing document was sent via email to:

Office of the Administrative Law Judges
600 Pennsylvania Avenue, N.W., Rm. H-110
Washington, D.C. 20580

/s/ Brandon M. Livengood
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