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14 T-MOBILE US, INC.

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN JOSE DIVISION**

18 KEITH DEAN BRADT, et al.,

19 Plaintiffs,

20 v.

21 T-MOBILE US, INC., et al.,

22 Defendants.

Case No. 5:19-cv-7752-BLF

**NOTICE OF MOTION AND
MOTION TO DISMISS
PLAINTIFFS' COMPLAINT**

Date: June 25, 2020

Time: 9:00 a.m.

Courtroom: 3, Fifth Floor

Before: Hon. Beth Labson Freeman

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NOTICE OF MOTION

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Please take notice that on June 25, 2020 at 9:00 a.m., or at such other date as may be agreed upon or ordered, at the courtroom of the Honorable Beth Labson Freeman, Courtroom 3, Fifth Floor, United States District Court, 280 South 1st Street, San Jose, California, Defendants Deutsche Telekom AG, T-Mobile US, Inc., SoftBank Group Corp., and Sprint Corp. will and hereby do move the Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss with prejudice Plaintiffs' Complaint To Prohibit The Merger of Sprint by T-Mobile. The motion is based upon this Notice of Motion, the Memorandum of Points and Authorities, the Declaration of Jeremy Calsyn, the arguments of counsel, and all other matters properly considered by the Court. This motion to dismiss is brought on the grounds that the Complaint fails to state a claim against Defendants upon which relief can be granted.

REQUEST FOR RELIEF

Defendants request that the Court dismiss the Complaint with prejudice.

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Dated: March 18, 2020

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Dated: March 18, 2020

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Attorneys for Defendant
DEUTSCHE TELEKOM AG

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