

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, STATE OF
CALIFORNIA, STATE OF CONNECTICUT,
DISTRICT OF COLUMBIA, STATE OF
MARYLAND, STATE OF MICHIGAN,
COMMONWEALTH OF VIRGINIA, STATE
OF WISCONSIN, STATE OF HAWAII,
COMMONWEALTH OF
MASSACHUSETTS, STATE OF
MINNESOTA, STATE OF OREGON,
STATE OF ILLINOIS, and
COMMONWEALTH OF PENNSYLVANIA,

Plaintiffs,

- against -

DEUTSCHE TELEKOM AG, T-MOBILE
US, INC., SPRINT CORPORATION, and
SOFTBANK GROUP CORP.,

Defendants.

No.1:19-cv-5434-VM-RWL

STATEMENT OF INTEREST OF THE UNITED STATES OF AMERICA

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INTEREST OF THE UNITED STATES

The United States respectfully submits this statement pursuant to 28 U.S.C. § 517, which permits the Attorney General to direct any officer of the Department of Justice to attend to the interests of the United States in any case pending in a federal court. The Department's Antitrust Division enforces the federal antitrust laws and has a strong interest in ensuring that remedies for antitrust violations promote competition and protect consumers nationwide. The Federal Communications Commission ("FCC") enforces the federal telecommunications laws and has a strong interest in ensuring that mergers transferring FCC-granted licenses, including, but not limited to, their competitive effects, are in the public interest. Both the Antitrust Division and the FCC took nationwide actions on behalf of the American people in response to the merger at the heart of this private antitrust suit, based on their factual findings and determinations that their chosen relief was in the public interest. Now, plaintiffs in this case, a minority of States, ask this court to displace those findings and decisions by imposing a nationwide permanent injunction. To secure such relief, the plaintiff States must prove it is both necessary and in the public interest, an inquiry the United States respectfully submits should take into account the Antitrust Division's and the FCC's findings and decisions and the relief they already have secured.

SUMMARY OF ARGUMENT

The United States, through the Department of Justice's Antitrust Division and the FCC, investigated the proposed merger of T-Mobile US, Inc. ("T-Mobile") and Sprint Corporation ("Sprint"). The Antitrust Division (along with a number of state Attorneys General) and the FCC concluded that consumers would benefit from the combination of T-Mobile and Sprint accompanied by the divestitures and other relief the Antitrust Division (in its proposed Final Judgment) and the FCC (in its order) secured to protect competition and promote the public interest. This outcome benefits consumers through the combination's enhanced output—the

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