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17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA
19 WESTERN DIVISION

20 WILLIAM MORRIS ENDEAVOR
21 ENTERTAINMENT, LLC, *et al.*,

22 Plaintiffs-Counterdefendants,

23 v.

24 WRITERS GUILD OF AMERICA,
25 WEST, INC., *et al.*,

26 Defendants-Counterplaintiffs.
27

No. 2:19-cv-05465-AB (AFMx)

**REQUEST OF THE UNITED
STATES TO PARTICIPATE AT
THE DECEMBER 6 HEARING**

Date: December 6, 2019

Time: 10:00 AM

Courtroom: 7B

United States Courthouse

350 West First Street

Los Angeles, CA 90012

Honorable Andre Birotte Jr.

United States District Judge

1 On October 11, 2019, this Court set a hearing on December 6, 2019, for the
2 motion to dismiss filed in this case by Writers Guild of America, West, Inc. and
3 Writers Guild of America, East, Inc. (collectively, Writers Guild). On November
4 26, 2019, the United States filed a Statement of Interest pursuant to 28 U.S.C.
5 § 517. The United States now respectfully requests permission to participate at the
6 December 6 hearing.

7 The United States seeks to participate at the December 6 hearing because it
8 enforces the federal antitrust laws and has a significant interest in the proper
9 application of the labor exemptions from the antitrust laws. In its Statement of
10 Interest, the United States urged this Court to reject the Writers Guild's argument
11 that the Court can apply the labor exemptions from the antitrust laws in this case
12 on the pleadings. As the Statement explained, it is necessary for the Court to
13 develop a factual record before deciding whether or not the labor exemptions
14 apply, so that it can ensure that the fundamental national values protecting
15 competition embodied in the federal antitrust laws are not displaced improperly.

16 The United States believes that its participation at the December 6 hearing
17 would be of substantial assistance to the Court, and leaves it to the discretion of the
18 Court to decide the form and extent of the United States' participation at the
19 hearing. Counsel for the plaintiffs have informed the United States that they do not
20 oppose the request. Counsel for the Writers Guild have informed the United States
21 that they oppose the request.

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23 Dated: November 27, 2019

Respectfully submitted,

24 /s/ Nickolai G. Levin

25 NICKOLAI G. LEVIN

26 Attorney, Antitrust Division

27 Attorney for the United States of America
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