

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 24-3104

Caption [use short title]

Motion for: Unopposed Motion for Voluntary Dismissal

Set forth below precise, complete statement of relief sought:

To voluntarily dismiss this appeal under Federal Rule
of Appellate Procedure 42(b)(2).

United States of America v. eBay, Inc.

MOVING PARTY: United States

OPPOSING PARTY: eBay, Inc.

☒ Plaintiff☐ Defendant☒ Appellant/Petitioner☐ Appellee/Respondent

MOVING ATTORNEY: Daniel Halainen

OPPOSING ATTORNEY: Jeffrey B. Wall

[name of attorney, with firm, address, phone number and e-mail]

U.S. Dep't of Justice, ENRD, Appellate Section

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Court- Judge/ Agency appealed from: U.S. District Court for the Eastern District of New York, Hon. Orelia E. Merchant

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):

☒ Yes☐ No (explain):FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:

Has this request for relief been made below?

☐ Yes☐ No

Has this relief been previously sought in this court?

☐ Yes☐ No

Requested return date and explanation of emergency:

Opposing counsel's position on motion:

☒ Unopposed☐ Opposed☐ Don't Know

Does opposing counsel intend to file a response:

☐ Yes☒ No☐ Don't Know

Is the oral argument on motion requested?

☐ Yes☒ No (requests for oral argument will not necessarily be granted)

Has the appeal argument date been set?

☐ Yes☒ No If yes, enter date:

Signature of Moving Attorney:

DANIEL HALAINEN

Digitally signed by DANIEL HALAINEN
Date: 2025.04.24 14:47:54 -04'00'

Date: April 24, 2025

Service :

☒

Electronic

☐

Other [Attach proof of service]

No. 24-3104

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff/Appellant,

v.

EBAY, INC.,
Defendant/Appellee.

Appeal from the United States District Court for the Eastern District of New York
No. 1:23-cv-7173 (Hon. Orelia Merchant)

UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL

Pursuant to Federal Rule of Appellate Procedure 42(b)(2), Plaintiff-Appellant United States of America moves for voluntary dismissal of its appeal. Undersigned counsel conferred with counsel for Defendant-Appellee eBay, Inc., who confirmed that eBay, Inc., consents to this motion. The parties have agreed to bear their own costs in connection with this appeal.

Respectfully submitted,

/s/ Daniel Halainen

ADAM R.F. GUSTAFSON

Acting Assistant Attorney General

DANIEL HALAINEN

Attorney

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U.S. Department of Justice

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April 24, 2025

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