

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

Plaintiff,

v.

ASSA ABLOY AB

and

SPECTRUM BRANDS HOLDINGS, INC.

Defendants.

Case No. 1:22-cv-02791-ACR

JOINT STATUS REPORT

Pursuant to the Court’s Minute Order dated July 9, 2024, and further to the Joint Status Report filed on July 16, 2024 (ECF No. 154), the Parties and the Monitoring Trustee respectfully submit the following status report.

After further discussion, the Parties and the Monitoring Trustee are pleased to report that there is an agreement in principle on (1) the metrics that the Monitoring Trustee will employ to measure competitive intensity and the categories of documents and data that ASSA ABLOY and Fortune Brands will produce (although ASSA ABLOY and Fortune Brands reserve the right to dispute the relevance of the metrics in the future); (2) a process by which ASSA ABLOY will produce “relevant data through the June 2023 divestiture date”; and (3) a prospective budget, beginning in August 2024, for the Monitoring Trustee’s “competitive intensity” investigation for the remainder of the monitorship. ASSA ABLOY and the Monitoring Trustee will memorialize the terms of this agreement and submit it to the Court *in camera*.

While the United States will not be a signatory to the written agreement referenced above, the United States acknowledges that the agreement will govern the competitive intensity analysis in this case. However, the compromise agreement reached between ASSA ABLOY and the Monitor in this matter is only relevant or applicable to the specific facts and circumstances of this case and does not apply in any other matter.

ASSA ABLOY does not waive, and expressly reserves, the right to dispute invoices for May, June, and July 2024 that it has not yet received, including on the basis that ASSA ABLOY is not obligated under the Final Judgment to pay any fees incurred by the Monitor in litigating this dispute. ASSA ABLOY also does not waive, and expressly reserves, the right to receive invoices “with sufficient detail to reasonably describe the contributions of each member of the Monitoring Trustee Team,” as set forth in the Monitor Engagement Agreement, to enable ASSA ABLOY to assess whether the work performed is consistent with the agreed-upon budget and scope of competitive intensity and compliance work contemplated by the Final Judgment. The Monitoring Trustee and the United States likewise reserve the right to respond to any such disputes raised by ASSA ABLOY in the future.

These additional disputes are not ripe at this time and all participants agree and respectfully request that the Court postpone the status conference scheduled for July 26, 2024.

Dated: July 25, 2024

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UNITED STATES DEPARTMENT OF JUSTICE
ANTITRUST DIVISION

Respectfully submitted,

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