



U.S. Department of Justice

Antitrust Division

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*Liberty Square Building  
450 5<sup>th</sup> Street, N.W.  
Washington, DC 20530*

Honorable Patti B. Saris  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 2300  
Boston, Massachusetts 02210

December 18, 2023

Re: *Nosalek v. MLS Property Information Network, Inc. et al*,  
Case No. 1:20-cv-12244-PBS

Dear Judge Saris:

The United States writes in response to the Court's inquiry during the Wednesday, December 6, 2023 hearing in the above-captioned case regarding the Department of Justice's views on the proposed class settlement. Counsel for the Department of Justice was on the muted public line and thus could not respond to the Court's inquiry.

Consistent with the Court's October 3, 2023 scheduling order on preliminary approval, the Department of Justice has engaged with counsel for the plaintiffs and MLS PIN to discuss the terms of the proposed settlement and whether changes could alleviate the Department's concerns. After the hearing, the Department of Justice reached out again to the parties' counsel to ascertain the status of their negotiations over proposed amendments to the settlement. Plaintiffs' counsel agreed to provide the Department of Justice with a copy of the Second Amended Settlement and related motion at least two business days before filing with the Court.

On Wednesday, December 13, plaintiffs' counsel shared the Second Amended Settlement with the Department of Justice and indicated that they intend to file a renewed motion for preliminary approval on Monday, December 18, 2023.

While the Second Amended Settlement makes some proposed changes, the Department of Justice continues to have concerns with the proposed settlement. Should the Court wish to hear the views of the United States before determining whether to grant preliminary approval, the Department of Justice respectfully asks that the Court allow the United States until February 15, 2024 to file a statement of interest.

Respectfully submitted,

*/s/ Jessica N. Leal*  
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