

EXHIBIT B

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

INTUIT INC.,

and

CREDIT KARMA, INC.,

Defendants.

Civil Action No.: 1:20-cv-03441-ABJ

**CERTIFICATE OF COMPLIANCE WITH PROVISIONS
OF THE ANTITRUST PROCEDURES AND PENALTIES ACT**

The United States of America hereby certifies that it has complied with the Antitrust Procedures and Penalties Act (“APPA”), 15 U.S.C. § 16 and states:

1. The United States filed the Complaint, Asset Preservation Stipulation and Order (“Stipulation and Order”), and proposed Final Judgment on November 25, 2020. The Court entered the Stipulation and Order on December 1, 2020. The United States then filed the Competitive Impact Statement on December 10, 2020.

2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and the Competitive Impact Statement were published in the *Federal Register* on December 16, 2020 (85 Fed. Reg. 81501 (Dec. 16, 2020)), and copies of the proposed Final Judgment and Competitive Impact Statement were furnished to all persons requesting them and made available on the Department of Justice Antitrust Division’s website.

3. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the Proposed Final Judgment and Competitive Impact Statement were published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, for seven days, beginning on December 15, 2020 and ending on December 21, 2020.

4. No determinative materials or documents within the meaning of 15 U.S.C. § 16(b) were considered by the United States in formulating the proposed Final Judgment, so none were furnished to any person pursuant to 15 U.S.C. § 16(b) or listed pursuant to 15 U.S.C. § 16(c).

5. As required by 15 U.S.C. § 16(g), on December 7, 2020, Defendants filed with the Court descriptions of any written or oral communications made by or on behalf of Defendants with any officer or employee of the United States concerning the proposed Final Judgment.

6. The 60-day comment period specified in 15 U.S.C. § 16(b) commenced on December 21, 2020 and ended on February 19, 2021.

7. On March 9, 2021, the United States filed a Joint Notice of Amended Proposed Final Judgment (the “Joint Notice”), attaching an Amended Proposed Final Judgment as Exhibit 1. The Amended Proposed Final Judgment addresses a technical clarification to the original proposed Final Judgment to allow Intuit Inc. (“Intuit”) to comply with its obligations under its Memorandum of Understanding with the Internal Revenue Service (IRS) in connection with Intuit’s participation in the IRS Free File program. The Amended Proposed Final Judgment is identical in all respects to the original proposed Final Judgment except for the change to Paragraph IV(O)(2), which

has been made for the limited purpose of permitting Intuit to comply with obligations to the IRS.

8. The United States received and responded to one comment on the proposed Final Judgment. The comment and the United States' response were filed with the Court on April 23, 2021. Pursuant to 15 U.S.C. § 16(b), the comment and the United States' response were published in the *Federal Register* on April 29, 2021, *see* 86 Fed. Reg. 22,706 (Apr. 29, 2021).

9. The parties have, therefore, satisfied all of the requirements of the APPA that were conditions for entering the Amended Proposed Final Judgment. Pursuant to the Stipulation and Order entered by the Court on December 1, 2020 and 15 U.S.C. § 16(e), the Court may enter the Final Judgment after it determines that the Amended Proposed Final Judgment serves the public interest.

10. The United States' Competitive Impact Statement and Response of Plaintiff United States to Public Comment on the Proposed Final Judgment demonstrate that the Amended Proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e).

11. Pursuant to the Stipulation and Order entered by the Court on December 1, 2020, Defendants stipulated that the Final Judgment could be filed with and entered by the Court, upon the motion of the United States or upon the Court's own motion, at any time after compliance with the requirements of the APPA, and without further notice to any party or other proceeding.

12. The United States requests that the Court enter the Final Judgment without

further proceedings or hearings.

Dated: May 6, 2021

Respectfully submitted,

FOR PLAINTIFF
UNITED STATES OF AMERICA

/s/

BRIAN HANNA

Attorney for the United States

U.S. Department of Justice
Antitrust Division
450 Fifth Street, NW, Suite 8000
Washington, DC 20530
Tel: (202) 598-8360
Email: brian.hanna2@usdoj.gov