

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BOOZ ALLEN HAMILTON HOLDING
CORP., *et al.*,

Defendants.

No.: 1:22-cv-01603-CCB

STIPULATION OF VOLUNTARY DISMISSAL

In response to the Court’s October 11, 2022 Order (ECF No. 224) requiring the parties to “confer and submit proposals for further proceedings in this case,” the parties, by their undersigned counsel, hereby stipulate and agree pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure that all claims asserted in this case are hereby dismissed without prejudice.

The United States commits to the Court that it will not move to reopen this litigation unless either Booz Allen or EverWatch withdraws its bid for OPTIMAL DECISION or otherwise fails to continue to pursue the OPTIMAL DECISION contract before OPTIMAL DECISION is awarded, with Defendants reserving all rights to oppose any such attempted reopening.

Each party to this action shall bear its own costs, expenses and attorneys’ fees.

STIPULATED AND AGREED:

FOR PLAINTIFF UNITED STATES OF AMERICA:

/s/

Jay D. Owen (special admission)
Assistant Chief
United States Department of Justice
Antitrust Division
Defense, Industrials, and Aerospace Section
450 Fifth Street N.W., Suite 8700
Washington, DC 20530
Telephone: (202) 476-0248
Facsimile: (202) 514-9033
Email: jay.owen@usdoj.gov

FOR DEFENDANTS BOOZ ALLEN HAMILTON HOLDING CORPORATION, BOOZ ALLEN HAMILTON INC., EVERWATCH CORP., and ANALYSIS, COMPUTING & ENGINEERING SOLUTIONS, INC.

/s/

Todd M. Stenerson (Bar No. 14194)
David A. Higbee (Bar No. 30364)
Ryan A. Shores (admitted *pro hac vice*)
Adam B. Schwartz (Bar No. 30358)
Matt Modell (admitted *pro hac vice*)
Jacob M. Coate (Bar No. 30355)
SHEARMAN & STERLING LLP
401 9th Street, NW, Suite 800
Washington, DC 20004
Telephone: (202) 508-8000
Facsimile: (202) 508-8100
todd.stenerson@shearman.com
david.higbee@shearman.com
ryan.shores@shearman.com
adam.schwartz@shearman.com
matt.modell@shearman.com
jacob.coate@shearman.com

Susan Loeb (admitted *pro hac vice*)
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, NY 10022-6069
Telephone: (212) 848-4000
Facsimile: (212) 848-7179
susan.loeb@shearman.com

Attorneys for Defendants

FOR DEFENDANT EC DEFENSE HOLDINGS, LLC

/s/ _____

G. Charles Beller (Bar No. 30372)
Amanda P. Reeves (admitted *pro hac vice*)
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-22001
charlie.beller@lw.com
amanda.reeves@lw.com

CERTIFICATE OF SERVICE

I, Jay D. Owen, hereby certify that on December 23, 2022 I electronically filed the foregoing Stipulation of Voluntary Dismissal with the Clerk of Court using the CM/ECF system, and served, via electronic filing, counsel of record for all parties.

_____/s/_____
Jay D. Owen (special admission)
Assistant Chief
United States Department of Justice
Antitrust Division
Defense, Industrials, and Aerospace Section
450 Fifth Street N.W., Suite 8700
Washington, DC 20530
Telephone: (202) 476-0248
Facsimile: (202) 514-9033
Email: Jay.Owen@usdoj.gov

Counsel for the United States