

EXHIBIT B

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10 **UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 UNITED STATES OF AMERICA,

14 *Plaintiff,*

15 v.

16 BAZAARVOICE, INC.

17 *Defendant.*

Case No. 13-cv-00133 WHO

18 **EXPLANATION OF CONSENT
DECREE PROCEDURES**

Judge: Hon. William H. Orrick
Hearing Date: April 25, 2014
Time: 9 a.m.

19 **UNITED STATES EXPLANATION OF CONSENT DECREE PROCEDURES**

20 The United States submits this short memorandum summarizing the procedures regarding
21 the Court's entry of the proposed Final Judgment. This Judgment would settle this case pursuant
22 to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) (the "APPA"), which applies
23 to civil antitrust cases brought and settled by the United States.
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26 1. Today, the United States has filed this Explanation of Consent Decree Procedures, a
27 proposed Final Judgment and a Stipulation and [Proposed] Order between the parties by which
28 they have agreed that the Court may enter the proposed Final Judgment after the United States

1 has complied with the APPA. The United States will also file a Competitive Impact Statement
2 relating to the proposed Final Judgment.

3 2. The Stipulation and [Proposed] Order is a document that has been agreed to by
4 both the United States and the Defendant. The United States and the Defendant ask that the
5 Court sign this Order, which ensures that the Defendant preserve competition by complying with
6 the provisions of the proposed Final Judgment during the pendency of the proceedings required
7 by the Tunney Act. *See* 15 U.S.C. § 16(b)-(h).

8 3. The APPA requires that the United States publish the proposed Final Judgment
9 and the Competitive Impact Statement in the *Federal Register* and cause to be published a
10 summary of the terms of the proposed Final Judgment and the Competitive Impact Statement in
11 certain newspapers at least sixty (60) days prior to entry of the proposed Final Judgment.
12 Defendant in this matter has agreed to arrange and bear the costs for the newspaper notices. The
13 notice will inform members of the public that they may submit comments about the proposed
14 Final Judgment to the United States Department of Justice, Antitrust Division, 15 U.S.C. §
15 16(b)-(c).

16 4. During the sixty-day period, the United States will consider, and at the close of that
17 period respond to, any comments that it has received, and it will publish the comments and the
18 United States' responses in the Federal Register.

19 5. After the expiration of the sixty-day period, the United States will file with the
20 Court the comments and the United States' responses, and it may ask the Court to enter the
21 proposed Final Judgment (unless the United States has decided to withdraw its consent to entry
22 of the Final Judgment, as permitted by Paragraph 1 of the Stipulation, *see* 15 U.S.C. § 16(d)).

23 6. If the United States requests that the Court enter the proposed Final Judgment after
24 compliance with the APPA, 15 U.S.C. § 16(e)-(f), then the Court may enter the Final Judgment
25 without a hearing, provided that it concludes that the Final Judgment is in the public interest.
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1 Dated: April 24, 2014

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3 Respectfully submitted,

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5 FOR PLAINTIFF
6 UNITED STATES OF AMERICA

7 /s/ Michael D. Bonanno
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