

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

United States of America, *et al.*,

Plaintiffs,

v.

Google LLC,

Defendant.

Case No. 1:20-cv-03010-APM

HON. AMIT P. MEHTA

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State of Colorado, *et al.*,

Plaintiffs,

v.

Google LLC,

Defendant.

Case No. 1:20-cv-03715-APM

HON. AMIT P. MEHTA

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JOINT STATUS REPORT

Pursuant to the Court's email dated June 11, 2026, the Parties submit the following Joint Status Report.¹

¹ The TC has requested that information reflecting the TC's staffing plans and employment spend be maintained under seal, including by redacting certain information from the attached exhibits as well as redacting references to staffing levels and employment spend in the text of the Joint Status Report, from which salary information could be estimated. The *Hubbard* factors weigh in favor of non-disclosure, as staffing plans and employment spend are entity-sensitive information that is not disseminated outside the organization, even within the organization such information is shared only on a need-to-know basis, and the public interest in knowing the TC's staffing plans and employment spend is low. *United States v. Hubbard*, 650 F.2d 293, 317–22 (D.C. Cir. 1980). Plaintiffs do not oppose the TC's request. Google takes no position on the TC's sealing request.

FILED UNDER SEAL**I. Joint Status Update**

On May 14, 2026, the TC presented Plaintiffs with (a) a proposed annual budget covering this first year of the TC's operations through January 31, 2027 ("Ramp-Up Budget"); and (b) an organizational plan specifying the manner in which the TC will discharge its duties and obligations (the "Organizational Plan"). At that time, the TC also presented Plaintiffs with formal notices to hire staff for the TC ("TC Staff").

On May 18, 2026, Plaintiffs approved the hiring of TC Staff, the Ramp-Up Budget, and the Organizational Plan. That same day, the TC provided Google with a copy of the Ramp-Up Budget as well as notices to hire TC Staff, which are attached hereto as Exhibit 1 ("Notices to Hire").

On May 22, 2026, Google sent a letter to the TC objecting that Google had not received information sufficient for it to evaluate the reasonableness of the funds requested in the Ramp-Up Budget associated with the staff members the TC intended to hire. *See* Exhibit 2. Thereafter, the Parties exchanged correspondence and held meet and confers on this point but remained at an impasse. Plaintiffs did not agree that Google needed the requested information regarding the contemplated TC staff beyond the Notices to Hire. Google agreed to fully fund the Ramp-Up Budget, including personnel-related costs and expenses, while the Parties submitted their dispute regarding the Notices to Hire to the Court.²

The Parties now request the Court's assistance resolving this dispute concerning whether and to what extent Google is entitled to receive additional information regarding TC Staff hiring beyond what is provided in the Notices to Hire. The Parties' respective Position Statements on this dispute are set forth below.

² For clarity, the present dispute before the Court does not involve whether compensation or benefit levels for particular positions are appropriate.

FILED UNDER SEAL**II. Google's Position Statement**

The Final Judgment affords Google an opportunity to evaluate the reasonableness of expenses the Technical Committee (“TC”) incurs, including expenses relating to staff the TC hires, and to object where appropriate. Google cannot meaningfully exercise these rights if it lacks sufficient information to consider the reasonableness of expenses the TC intends to incur. Here, Plaintiffs informed Google that the TC intends to hire ■■■ staff. But Plaintiffs have denied Google access to substantive information about what these staff will work on or an explanation as to why they are reasonably necessary for the TC to carry out its duties and responsibilities under the Final Judgment. Google has already provisionally funded the TC’s requested budget for the remainder of this fiscal year. But it respectfully requests that the Court order the disclosure of information sufficient to assess whether the staff the TC intends to hire “are reasonably necessary for the TC to carry out its duties and responsibilities under the Final Judgment.” ECF No. 1462 § VII.A.7(i).

Three provisions of the Final Judgment bear on this dispute. First, the TC may only hire staff “at the cost and expense of Google” to the extent they “are reasonably necessary for the TC to carry out its duties and responsibilities under th[e] Final Judgment.” ECF No. 1462 § VII.A.7(i). Second, there must be “prior notice to Google” before the TC hires such staff. *Id.* And third, Google has the right to “object to the reasonableness of any . . . fees or other expenses” for which reimbursement is sought from Google. *Id.* § VII.A.7(j). These provisions provide Google with the right to object to staff expenses that are not reasonably necessary for the TC to carry out its duties and responsibilities under the Final Judgment.

On April 10, 2026, the TC sent Google an email stating that it “hereby provides notice of its intent to hire full-time employees to begin staffing its operations.” See Ex. 3. In subsequent conferrals, Plaintiffs disclosed that this notice covered five specific roles: a Financial Controller, Head of Human Resources, Head of Informational Technology and Security, Executive Assistant,

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and Group Program Manager. On May 18, the TC gave Google notice of an intent to hire an additional [REDACTED] staff: [REDACTED] full-time “Technical Program Managers,” [REDACTED] full-time “Analysts,” [REDACTED] full-time “Engineers,” [REDACTED] full-time “Unit Leads,” [REDACTED] full-time “Distinguished Engineers,” [REDACTED] full-time “General Administration” staff, and [REDACTED] part-time “Expert Advisors.” Ex. 1. These Notices to Hire disclosed only in the vaguest terms what the [REDACTED] employees are being hired to do, with generic descriptions of job functions for each category. The Notices to Hire provided no information as to the TC duties and responsibilities each staff member will support. For example, the May 18 Notice states that the [REDACTED] Technical Program Managers will be “responsible for overseeing and coordinating technical programs and operational initiatives,” but they do not say which technical programs and operational initiatives those are, or which components of the TC’s duties under the Final Judgment (e.g., search syndication, privacy measures, data security, etc.) they relate to. *Id.* at 4. They state that the [REDACTED] Engineers will be “responsible for designing, developing, implementing, and maintaining technology solutions, systems, and operational platforms that support organizational objectives and program delivery,” again without any explanation as to what those organizational objectives and programs are, or which components of the TC’s duties under the Final Judgment they relate to. *Id.* at 6. And with respect to General Administration staff, the Notices to Hire concede that it is not yet known what responsibilities these staff will have, stating that their “specific duties and competencies will likely change as the organization matures” to “provide[] the organization with maximum flexibility.” *Id.* at 9.

This limited information is insufficient for Google to assess the reasonableness of the funds the TC has requested for the staff it intends to hire. The little information that has been provided, however, raises questions about whether hiring all [REDACTED] staff now is reasonably necessary. In its first 19 months of operation, the Microsoft technical committee hired just six staff members, “two

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of whom perform[ed] administrative functions.” Joint Status Report at 9, *United States v. Microsoft Corp.*, No. 1:98-cv-01232-CKK (D.D.C. July 9, 2004), ECF No. 801, at 9. Here, the TC discloses an intent to hire over [REDACTED] times as many staff to begin operations.

Additionally, the May 18 Notice describes an intent to hire numerous staff with identical job functions—that is, it lists the same description for each category of staff. *See* Ex. 1. Without more information, Google cannot evaluate whether the number of staff the TC intends to hire in each category (who apparently will perform the same functions) are reasonably necessary.

Given these concerns, and without any further information, Google objected to the [REDACTED] the TC requested for compensation and other anticipated staffing expenses for the 2026 fiscal year unless Plaintiffs could “explain what aspects of the Final Judgment or other Technical Committee responsibilities each of the contemplated staff members will support [and] why the proposed number of staff in each category of roles is reasonably necessary.” Ex. 2 at 2. As Google explained to Plaintiffs in conferral, with the benefit of that information Google may have no objection to the staff the TC intends to hire. But without it, Google has no way to assess whether the contemplated staff are reasonably necessary, and thus whether the funds the TC has requested from Google for these staff are reasonable.

This dispute is not holding up the operations of the TC in any respect; Google has already provisionally funded the TC’s requested budget for 2026 in its entirety (as well as TC Member compensation) while the Court determines what information Google is entitled to in order to determine whether to exercise its right to object under the Final Judgment. And to be clear, Google is not seeking detailed information about what each staff member will do on a daily basis. But underlying the decision to hire [REDACTED] people there is surely information about what these staff are being hired to do and, more specifically, which remedies they will support. That information bears

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directly on whether hiring such staff is reasonably necessary. For example, there is assuredly information regarding the “technology solutions” and “operational platforms” that call for the hiring of [REDACTED] Engineers, and what “technical programs and operational initiatives” call for the hiring of [REDACTED] Technical Program Managers.

Plaintiffs make four arguments in support of their refusal to disclose that information to Google. First, they claim Google is seeking an approval right equivalent to what the Final Judgment provides Plaintiffs. That is incorrect. The issue here is not whether Google has a unilateral right to approve all staff the TC intends to hire (as Plaintiffs claim they have), but whether Google is entitled to sufficient information to evaluate whether to exercise its right to object, pursuant to Section VII.A.7(j), to the reasonableness of the expenses associated with the TC’s hiring proposals. If Google cannot resolve any such objection with Plaintiffs, it must bring the dispute to the Court, and it must “bear the burden to demonstrate unreasonableness.” Final Judgment § VII.A.7(j). Plaintiffs’ argument that they alone are entitled to information regarding the substantive work that TC staff will perform would effectively erase Google’s right to object under Section VII.A.7(j), and it would further strip Google of any ability to carry its burden to justify its objections. Such a reading of the Final Judgment is improper. *See United States v. Greyhound Corp.*, 508 F.2d 529, 535–36 (7th Cir. 1974) (rejecting interpretation of injunction that would render a provision “purposeless”).

Second, Plaintiffs argue that providing Google the requested information would delay the work of the TC. But as Google has made clear, it “is fully committed to working cooperatively with the Technical Committee to ensure it has the funds needed to perform its functions.” Ex. 2 at 1. For that reason, Google has advanced the TC more than [REDACTED] to cover TC Member compensation and the full amount the TC requested for initial operating expenses. And, as noted,

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in no circumstance will the dispute briefed herein cause any delay in the TC’s operations: Google has committed to advancing the full amount requested for the TC’s 2026 budget (more than [REDACTED] in total)—including the disputed funds—by the deadline Plaintiffs requested, and to addressing any objections to TC staff expenditures following the Court’s resolution of the present dispute. Ex. 4. Plaintiffs’ complaints about unspecified “delay” should not obscure their refusal to disclose the requested information, both with respect to this funding request and for future funding requests. Nor should it obscure what Plaintiffs really are complaining about: Google being afforded the ability to evaluate the reasonableness of funding requests associated with TC staff, exactly as the Final Judgment provides.

Third, Plaintiffs argue that Google is attempting to relitigate whether it is entitled, under the Technical Committee Services Agreement (“TCSA”), to a copy of and a right to object to the TC’s Organizational Plan. One has nothing to do with the other. Nothing in the language of the TCSA (an agreement to which Google is not a party) alters Google’s express rights under the Final Judgment. In any event, Google is not raising a dispute concerning the TC’s Organizational Plan. What Google seeks is a narrower set of information—the information necessary for Google to evaluate the reasonableness of the proposed staff-related expenses and costs.

Fourth, Plaintiffs argue there is no basis for Google to dispute that the TC actually needs all the staff it intends to hire because the TC has a “tremendous amount of work” to do. But that framing—which concerns the work Plaintiffs believe the TC needs to perform more broadly—distracts from the relevant question here. Section VII.A.7(i) of the Final Judgment is clear that the TC can only hire staff that “are reasonably necessary for the TC to carry out its duties and responsibilities under th[e] Final Judgment.” The question, then, is what specific duties and responsibilities necessitate hiring today the extraordinarily large number of proposed staff—in

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other words, what role the proposed staff will perform that is reasonably necessary for the TC to carry out its duties and responsibilities under the Final Judgment. It may well be that upon disclosure of that information Google will determine it has no objection to the reasonableness of the TC's staff expenditures. But, at present, Google lacks sufficient information to make that evaluation.

Google respectfully requests that the Court order Plaintiffs to disclose to Google information sufficient to assess whether the staff the TC intends to hire "are reasonably necessary for the TC to carry out its duties and responsibilities under the Final Judgment." ECF No. 1462 § VII.A.7(i).

III. Plaintiffs' Position Statement Regarding Information To Be Provided to Google Regarding TC Staff Hiring

As noted in Plaintiffs' position statement in the Joint Status Report filed on May 1, 2026, ECF No. 1511 at 2, the Final Judgment aims to address over a decade's worth of competitive harm caused by Google's conduct in the markets for general search services and search text ads. The TC will play a vital role and undertake significant efforts in implementing those remedies, as this Court again acknowledged in its recent order of May 29, 2026:

The [TC] plays a crucial role in the execution of the Final Judgment. The Final Judgment empowers the [TC] to receive complaints against Google from third parties and to make recommendations to the court and to Plaintiffs about some of the most consequential aspects of the Final Judgment, including the frequency of user-side data disclosures; the cap on search syndication; data-sharing and syndication license templates; and the certification of Qualified Competitors, to name a few.

ECF No. 1521 at 1–2 (internal citations omitted). To that end, "[t]he TC may hire at the cost and expense of Google, with prior notice to Google and subject to approval by the Plaintiffs, such staff or consultants . . . as are reasonably necessary for the TC to carry out its duties and

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responsibilities under [the] Final Judgment.” Final J. § VII.A.7.i. Plaintiffs further have an approval right as to “all reasonable expenses incurred” by the TC. Id. § VII.A.7.j.

The TC Services Agreement negotiated and agreed upon by the Parties reaffirms Plaintiffs’ approval rights as to all hiring of TC Staff and to the TC’s budget, and further grants Plaintiffs an approval right as to the TC’s Organizational Plan. Neither the Final Judgment nor the TC Services Agreement grants Google approval rights as to the TC’s staff hiring, budget, or Organizational Plan. Instead, Google is limited to a right to “object to the reasonableness of any . . . [of the TC’s] fees or other expenses,” in which event “Google shall bear the burden to demonstrate unreasonableness.” *Id.*

The TC’s Notices to Hire and Ramp-Up Budget were appropriately approved by Plaintiffs and further provided sufficient notice and information to Google under the Final Judgment. Google nevertheless objected, and in subsequent meet and confers Google claimed to need additional information beyond what was in the Notices to Hire, including justifications for why the staff proposed to be hired are reasonably necessary for the TC to carry out its duties and obligations under the Final Judgment, the components of the Final Judgment or other TC responsibilities that the contemplated staff members will support, and why the proposed number of staff in each category of roles is reasonably necessary.

In essence, Google’s position—under the guise of assessing the “reasonableness” of the TC’s staffing expenses—is that it may challenge the TC’s staffing plans until the TC justifies, to *Google’s* satisfaction, the TC’s determinations of what staff is needed to execute the Court’s Final Judgment, for what functions, and why. Google is not entitled to such information regarding the TC’s staffing plans, however, and its demands otherwise are without merit.

FILED UNDER SEAL**A. The TC's Notices To Hire Reflect Reasonably Necessary Hiring Needs And Provide Sufficient Notice And Information To Google**

In the weeks before submitting the Notices to Hire to Plaintiffs, the TC Members worked diligently to identify their staffing needs. They developed the TC's Organizational Plan, followed by a staffing plan to effectuate the TC's work. The TC Members then presented and discussed their staffing plan with Plaintiffs, in conjunction with the Organizational Plan and Ramp-Up Budget, for the first year of the TC's operations through January 31, 2027 ("Ramp-Up Year").

Pursuant to their obligations under the Final Judgment, Plaintiffs considered the information provided and engaged with the TC Members regarding the Organizational Plan and staffing needs. Plaintiffs determined that the TC made a sufficient showing that its intended hiring is "reasonably necessary for the TC to carry out its duties and responsibilities under [the] Final Judgment." Final J. § VII.A.7.i. Accordingly, Plaintiffs approved the TC's staffing plan.

The TC then promptly provided Google with Notices to Hire and a copy of the Ramp-Up Budget. *See* Ex. 1. Contrary to Google's claims, these notices provided meaningful information to Google regarding the TC's staffing plans, showing the TC's intent to hire by function and including for each function: (a) a description of the function; (b) the number of positions to be filled and at which level(s); (c) the salary and bonus range(s); and (d) the status of the employee (e.g., full-time vs. part-time, W-2 vs. 1099). *See id.* Further, the Ramp-Up Budget reflects that the TC anticipates hiring staff progressively over the coming quarters. This information was more than sufficient notice to Google, meets the notice requirement of Section VII.A.7.i of the Final Judgment, and provided Google with sufficient information to assess the reasonableness of the costs and expenses for TC Staff shown in the Ramp-Up Budget.

FILED UNDER SEAL**B. Google Is Not Entitled To Additional Information Regarding The TC's Staffing Plans**

Google is not entitled to additional information regarding the TC's staffing plans beyond what is provided in the Notices to Hire. Google's position otherwise ignores the Final Judgment and the current remedial enforcement posture and is not appropriate for several reasons.

First, Google's requests for more detailed information are a blatant attempt to circumvent the Final Judgment and insert an approval right that the Court already rejected. In submitting provisions for the Final Judgment, Google proposed that the TC could hire staff "with prior notice to Google and subject to approval by *the parties*." Final J. Op. app. at 76 (emphasis added). The Court rejected Google having such an approval right, instead adopting Plaintiffs' proposed language that the TC may hire staff "with prior notice to Google and subject to approval by *the Plaintiffs*." *Id.*; Final J. § VII.A.7.i (emphasis added). As stated above, Plaintiffs determined that the TC made a sufficient showing that its intended hiring plan is "reasonably necessary," and Plaintiffs thereafter approved the TC's staffing plan. Final J. § VII.A.7.i. Google, in turn, received timely prior notice, exactly as the Final Judgment requires.

Second, Google's requests seek to exert improper control over the TC—the very people tasked by the Court with assisting in the enforcement of and compliance with the Final Judgment—and treat the TC as equivalent to a Google contractor or business unit within Google, effectively rendering the TC answerable to Google. But that is not Google's role here. As this Court has made clear, including as recently as the hearing on May 5, 2026, the TC is an enforcement arm of *Plaintiffs*. Tr. of Status Hr'g (May 5, 2026) at 4:14–10:1; *see also* Rem. Op. at 211–12; Final J. Op. at 47–48. Google does not have any enforcement role, nor does it otherwise have any role overseeing the TC's work. *See* Rem. Op. at 212 (rejecting the notion that Google "deserves an equal seat at the table"). Accordingly, Google is not entitled to information that may have been

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provided to Plaintiffs for purposes of securing Plaintiffs' approval for hiring, nor does it have an open-ended right to demand information about the TC's staffing strategies until Google decides it is satisfied. Google's requests to the contrary only serve as another attempt to improperly insert itself into and micromanage the inner workings of the TC.

Third, Google has already conceded that it does not have a valid reason for seeking such insight into the TC's staffing plans, which effectuate the Organizational Plan and reflect the TC's inner workings and strategy. During negotiations on the TC Services Agreement, Google initially attempted to include language that required the TC or Plaintiffs to provide Google with a copy of the Organizational Plan and gave Google the ability to object to the Organizational Plan's provisions. Plaintiffs stood firm that Google does not have a valid need for such a copy or right to object, and Google ultimately withdrew its proposed language on point. Having previously recognized that it does not have a need for such information, Google fails to explain why it now, once again, claims that it is essential to know detailed information regarding the TC's staffing operations to be able to evaluate the "reasonableness" of the TC's expenditures. Simply put, Google does not need to know what aspects of the Final Judgment or other TC responsibilities each of the contemplated staff members will support, or any of the other information it seeks. And relitigating the very issue that Google had already conceded only serves to frustrate the work of the TC.

Fourth, Google's suggestion that the TC does not actually need the staff identified to carry out the TC's duties threatens the tremendous amount of work that the TC must complete to effectuate the remedies in the Final Judgment. The TC Members are standing up an entire organization from scratch to carry out the duties assigned to them, and they are undeniably in the best position to assess what their staffing needs are as they plan for the incredibly complex work

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ahead. As the defendant in the current remedial enforcement posture, Google has no basis for inserting itself into this TC process or second-guessing the TC Members' staffing determinations, which have been reviewed and approved by Plaintiffs.

For at least the above reasons, Plaintiffs respectfully request that the Court reject Google's position and order that the information provided in Exhibit 1 satisfies the requirement that the TC provide Google with prior notice of its intent to hire TC Staff pursuant to Section VII.A.7.i of the Final Judgment.

Dated: June 16, 2026

Respectfully submitted,

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