

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



COMMISSIONERS: Joseph J. Simons, Chairman  
Noah Joshua Phillips  
Rohit Chopra  
Rebecca Kelly Slaughter  
Christine S. Wilson

In the Matter of

NTT GLOBAL DATA CENTERS  
AMERICAS, INC., as successor in  
interest to RagingWire Data Centers, Inc.  
a corporation.

*PUBLIC*

DOCKET NO. 9386

**JOINT MOTION TO WITHDRAW MATTER FROM ADJUDICATION FOR THE  
PURPOSE OF CONSIDERING A PROPOSED CONSENT AGREEMENT**

Pursuant to Rules 3.25(b) and (c) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(b), (c), Complaint Counsel and Respondent NTT Global Data Centers Americas, Inc. jointly move the Commission to withdraw this matter from adjudication under Docket No. 9386 for the purpose of the Commission's consideration of a proposed consent agreement. The proposed consent agreement, which conforms to the requirements of Commission Rule of Practice 2.32, 16 CFR § 2.32, has been fully executed by Complaint Counsel and Respondent, and approved by the Bureau of Consumer Protection. The proposed consent agreement would resolve the matter before the Commission in its entirety. Accordingly, the parties respectfully request that this matter be removed from adjudication until June 15, 2020, with all proceedings before the Administrative Law Judge stayed, so that the Commission may consider the proposed consent agreement.

Dated: April 15, 2020

Respectfully submitted,

/s/ Linda Holleran Kopp

Linda Holleran Kopp  
Robin L. Wetherill  
Division of Privacy and Identity Protection  
Bureau of Consumer Protection  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Mailstop CC-8402  
Washington, DC 20580  
Telephone: (202) 326-2267 (Kopp)  
Facsimile: (202) 326-3393  
Electronic mail: lkopp@ftc.gov (Kopp)

*Complaint Counsel*

/s/ Corey W. Roush

Corey W. Roush  
C. Fairley Spillman  
Diana E. Schaffner  
AKIN GUMP STRAUSS HAUER &  
FELD LLP  
2001 K Street, N.W.  
Washington, DC 20006  
(202) 887-4000

*Counsel for Respondent*

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**[PROPOSED] ORDER WITHDRAWING MATTER FROM ADJUDICATION  
FOR THE PURPOSE OF CONSIDERING A PROPOSED  
CONSENT AGREEMENT**

Complaint Counsel and Respondent NTT Global Data Centers Americas, Inc., having jointly moved that this matter be withdrawn from adjudication in order to enable the Commission to consider a proposed consent agreement;

Complaint Counsel and Respondent, having submitted a proposed Consent Agreement containing a proposed Decision and Order, executed by Respondent and by Complaint Counsel and approved by the Director of the Bureau of Consumer Protection that, if accepted by the Commission, would resolve the claims against Respondent in their entirety;

**IT IS ORDERED**, pursuant to Rule 3.25(c) of the Commission Rules of Practice, 16 C.F.R. § 3.25(c), that all claims against Respondent are hereby withdrawn in their entirety from adjudication until June 15, 2020, and that all proceedings before the Administrative Law Judge in this matter are hereby stayed pending a determination by the Commission with respect to the proposed Consent Agreement, pursuant to Rule 3.25(f), 16 C.F.R. § 3.25(f); and

**IT IS FURTHER ORDERED**, pursuant to Rule 3.25(b) of the Commission Rules of Practice, 16 C.F.R. § 3.25(b), that the proposed Consent Agreement shall not be placed on the public record unless and until it is accepted by the Commission.

By the Commission.

April S. Tabor  
Acting Secretary

SEAL:

ISSUED:

**CONFIDENTIAL CONSENT AGREEMENT**

**REDACTED IN ENTIRETY**

**CERTIFICATE OF SERVICE**

I hereby certify that on May 13, 2020, I caused the foregoing document to be filed electronically through the Office of the Secretary's FTC E-filing system, which will send notification of such filing to:

April S. Tabor  
Acting Secretary  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm.  
H-113 Washington, DC 20580

I also certify that I caused a copy of the foregoing document to be transmitted via electronic mail to:

The Honorable D. Michael  
Chappell Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm.  
H-110 Washington, DC 20580

I further certify that I caused a copy of the foregoing document to be served via electronic mail to:

Corey W. Roush  
C. Fairley Spillman  
Diana E. Schaffner  
Akin Gump Strauss Hauer & Feld LLP  
2001 K. Street, N.W.  
Washington, DC 20006  
(202) 887-4000  
croush@akingump.com  
fspillman@akingump.com  
dschaffner@akingump.com

*Counsel for Respondent NTT Global Data Centers Americas, Inc.*

May 13, 2020

By: /s/ Robin Wetherill  
Robin Wetherill  
Federal Trade Commission  
Bureau of Consumer Protection