

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

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**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**CONSOLIDATED MULTIPLE  
LISTING SERVICE, INC.,**

Defendant.

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Case No. 3:08-CV-01786-SB

**MOTION FOR SUMMARY JUDGMENT**

Defendant, Consolidated Multiple Listing Service, Inc., a South Carolina eleemosynary corporation (“CMLS”) in good standing with the South Carolina Secretary of State moves this honorable Court for Summary Judgment on the claims of the plaintiff which sound under Section One of the Sherman Antitrust Act on the grounds that the doctrine, alternatively known as the “intracorporate immunity doctrine” or the “intracorporate conspiracy doctrine,” operates as a complete defense to the claims of the plaintiff (“DOJ”) in the case at bar.

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February 17, 2009

## CERTIFICATE OF SERVICE

The undersigned hereby certifies he has served the above document on opposing counsel by electronic means on February 17, 2009.

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