

PUBLIC

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of)	
)	
The Kroger Company,)	
and)	Docket No. 9428
)	
Albertsons Companies, Inc.,)	
)	
Respondents.)	


**ORDER GRANTING MOTION FOR EXTENSION OF
TIME TO MOVE TO QUASH OR LIMIT SUBPOENA**

On April 10, 2024, non-party Bain & Company, Inc. (“Bain”) filed a motion to extend its time to move to quash or limit the subpoena for production of documentary material (“Subpoena”) issued by Complaint Counsel on March 28, 2024 (“Motion”). Complaint Counsel does not oppose the Motion for a fourteen-day extension of Bain’s deadline to object or otherwise move to limit or quash the Subpoena.

Under FTC Rule of Practice 3.34(c), any motion to limit or quash a subpoena must be filed within 10 days of receipt of the subpoena. 16 C.F.R. § 3.34(c). Pursuant to FTC Rule 4.3(b), the Administrative Law Judge, except in circumstances not here presented, may extend any time limit prescribed by the rules “[f]or good cause shown.” 16 C.F.R. § 4.3(b).

Based on the representations in the Motion, Bain has demonstrated good cause for the requested extension. Accordingly, the Motion is GRANTED and it is hereby ORDERED that Bain’s deadline for filing any motion to quash or limit the Subpoena is extended to April 22, 2024.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: April 10, 2024