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

In the Matter of)
Natalia Lynch,)) Docket No. 9423
Appellant.)
)

ORDER SETTING IN CAMERA SESSION AT THE MAY 20, 2024 HEARING

An evidentiary hearing in this case is scheduled to commence on May 20, 2024. In furtherance of my May 15, 2024 Order Granting Appellant's Unopposed Motion for *In Camera* Inspection, I have:

- (1) conducted an *in camera* review of an unredacted version of a document produced by the Horseracing Integrity and Safety Authority (the "Authority"), previously produced in redacted form to Appellant in response to Appellant's subpoena; and
- (2) reviewed the Authority's Statement of Bases for Redactions of Subpoenaed Document.

On the basis of these filings and my review, I ORDER the following:

- 1. After the May 20, 2024 hearing is called and appropriate appearances and introductory matters are concluded, an *in camera* session will be convened, attended only by the parties' attorneys. More specifically, Appellant will not attend.
- 2. At the *in camera* session, attorneys for the Authority, including the Horseracing Integrity & Welfare Unit, should be prepared to address:
 - A. Whether Appellant, or any other Responsible Person or Nominated Person representing Appellant, was given notification of the various tests referred to in the material redacted from the document produced to Appellant, as those terms are defined or otherwise used in the rules promulgated under the Horseracing Integrity and Safety Act of 2020.

B. If so:

- i. The person to whom notification was given, if not Appellant herself.
- ii. The person who gave notification to them.

- iii. The date and time they were given notification.
- iv. Whether they were given notification orally or in writing, and the manner of such notification (for example, face-to-face, telephone, email, text message).
- C. If notification was not given, the statute, rule, or other legal basis for proceeding with the testing without notification.
- D. The results of the testing referred to, and specifically, whether any testing disclosed a positive or negative finding for Altrenogest.
- 3. At the *in camera* session, I intend to direct the parties to thereafter meet and confer on a protective order that may need to be issued covering the *in camera* session and documents, if any, that may be produced during that session or by way of follow-up to it.
- 4. The decision whether to provide Appellant and her counsel an unredacted version of the redacted document is deferred pending further Order.

ORDERED: Jay L. Himes

Jay L. Himes Administrative Law Judge

Date: May 17, 2024