

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of)

Summit Technology, Inc.,)
a Corporation, and)

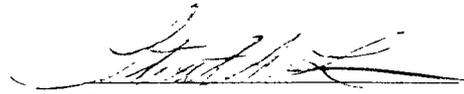
VISX, Incorporated,)
a Corporation.)

DOCKET No. 9286

ORDER

Having considered Complaint Counsel's Motion for Partial Summary Decision or in the Alternative an In Limine Ruling, including the papers on file herein and the arguments of counsel, and having determined, at hearing, that a genuine issues of material fact exist with respect to the issues raised by these motions:

IT IS ORDERED that Complaint Counsel's Motion for Partial Summary Decision and its Motion in the Alternative for an In Limine Ruling are both hereby DENIED



Stuart A. Levin
Administrative Law Judge

Date December 21, 1998