

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

)
IN THE MATTER OF)
)
Summit Technology, Inc.,) DOCKET No. 9286
A Corporation, and)
)
VISX, Inc.,)
A Corporation.)
_____)

SECOND ORDER GRANTING, IN PART, AND DENYING, IN PART
MOTION FOR IN CAMERA TREATMENT

By motion filed December 10, 1998, Respondent, VISX, requested in camera treatment for four documents which Complaint Counsel offered into evidence at the hearing on December 14, 1998. The documents subject to this motion were marked for identification, and admitted into evidence, as CX 107, CX 108, CX 158, and CX 269 respectively. Complaint Counsel do not object to motion.

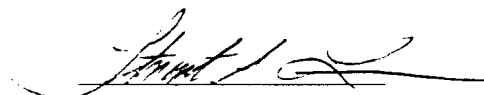
I have carefully reviewed each document. CX 107 and CX 108 reflect details of recent licensing negotiations, the disclosure of which would likely result in serious competitive injury within the meaning of 3.45(b). Further, portions of CX 158 and CX 269 contain pages 210729-33 of VISX's Q3-97 Financial Data to which in camera treatment was granted pursuant to the Order addressing in camera issues which I entered in this matter on December 7, 1998. Portions of CX 158 and CX 269, however, also contain a Press Release for which in camera treatment would not be appropriate. **Accordingly:**

ORDER

IT IS ORDERED that CX 107 and 108 be, and hereby are accorded in camera treatment to and including December 31, 1999;

IT IS FURTHER ORDERED that the following pages in CX 158 and CX 269, which contain VISX's Q3-97 Summary Financial Data, Pages 210729-33 be, and hereby are, accorded in camera treatment to and including December 31, 1999:

IT IS FURTHER ORDERED that in camera treatment is denied for the VISX press releases attached to CX 158 and 269, respectively.

A handwritten signature in black ink, appearing to read "Stuart A. Levin", with a long horizontal flourish extending to the right.

Stuart A. Levin
Administrative Law Judge

December 15, 1998