

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

ORIGINAL



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In the Matter of)
)
PHOEBE PUTNEY HEALTH)
SYSTEM, INC., and)
)
PHOEBE PUTNEY MEMORIAL)
HOSPITAL, INC., and)
)
PHOEBE NORTH, INC., and)
)
HCA INC., and)
)
PALMYRA PARK HOSPITAL, INC., and)
)
HOSPITAL AUTHORITY OF,)
ALBANY-DOUGHERTY COUNTY,)
Respondents.)
_____)

DOCKET NO. 9348

**ORDER GRANTING UNOPPOSED MOTION
TO REVISE SCHEDULING ORDER**

On July 1, 2011, Respondents filed an unopposed motion to revise the Scheduling Order issued in this case on May 31, 2011. In support of their motion, Respondents state that on June 27, 2011, the United States District Court for the Middle District of Georgia denied the Federal Trade Commission's (FTC) motion for a preliminary injunction and dismissed the federal complaint against Respondents, with prejudice. Respondents further state that on June 29, 2011, the FTC filed with the Court of Appeals for the Eleventh Circuit an Emergency Motion for an Injunction Pending Appeal and to Expedite the Appeal of the district court's decision. Respondents contend that in light of the federal proceedings, there is no benefit to undergoing the burdens and expense of discovery in this administrative proceeding. Accordingly, Respondents seek to revise the Scheduling Order to postpone the deadlines for various discovery obligations.

Having reviewed the Unopposed Motion to Revise the Scheduling Order, Respondents' Unopposed Motion is GRANTED. It is hereby ORDERED that the

deadlines in the current Scheduling Order be revised as follows:

- July 15, 2011 - Respondents provide preliminary witness list (not including experts) with a brief summary of the proposed testimony.
- July 15, 2011 - Deadline for issuing document requests, requests for admission, interrogatories and subpoenas *duces tecum*, except for discovery for purposes of authenticity and admissibility of exhibits.
- July 20, 2011 - Complaint Counsel provides expert witness list.
- July 25, 2011 - Respondents' Counsel provides expert witness list.

It is further ORDERED that no discovery, third party subpoena responses, motions to quash, or responses to motions to quash shall be due before July 18, 2011.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: July 5, 2011