

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



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
PUBLIC DOCUMENT

**CLEVERLEY+ ASSOCIATES' UNOPPOSED MOTION TO
EXTEND DEADLINE TO FILE A MOTION TO QUASH AND/OR LIMIT *SUBPOENA
DUCES TECUM* AND MEMORANDUM IN SUPPORT**

Pursuant to Rules 3.22, 3.34(c) and 4.3(b) of the Federal Trade Commission's ("FTC" or "Commission") Rules of Practice for Adjudicative Proceedings ("FTC Rules of Practice"), Cleverley + Associates ("Cleverley"), through its counsel, hereby moves to extend the deadline for moving to quash and/or limit, pursuant to FTC Rules of Practice 3.34(c), the *Subpoena Duces Tecum* ("Subpoena") served on it in this proceeding on April 25, 2013. This motion seeks a brief extension of the current deadline for filing such a motion, from May 6, 2013, to through and including May 9, 2013. Counsel for the FTC has been consulted regarding this motion and does not oppose the requested relief.

The Subpoena issued pursuant to the FTC's adjudicative proceeding captioned *In the Matter of Phoebe Putney Health System, Inc. et al., Docket No. 9348* (the "Proceeding") commands Cleverley to collect, review, process and produce what could potentially be thousands of pages of documents in a very short time frame. Cleverley is in the process of negotiating with the FTC staff over the breadth of the Subpoena in a good faith effort to cooperate with the FTC while reducing the burdensome nature of the Subpoena. As of the time of the filing of this Motion, however, a definitive agreement is not in place with the FTC as to the scope of the Subpoena. Accordingly, Cleverley desires to extend the current deadline, from May 6, 2013, to through and including May 9, 2013, to file a Motion to Quash and/or Limit the Subpoena, if necessary. This motion is not opposed by the FTC. A proposed order granting the requested relief is attached hereto as Exhibit A.

Respectfully submitted,

By: /s/ Robert M. Brennan
Robert M. Brennan

CERTIFICATE OF SERVICE AND FILING

I hereby certify that this 6th day of May, 2013, a true and correct copies of the foregoing **CLEVERLEY + ASSOCIATES' UNOPPOSED MOTION TO EXTEND THE DEADLINE TO FILE A MOTION TO QUASH AND/OR LIMIT SUBPOENA DUCES TECUM** was electronically filed with the Federal Trade Commission using the FTC E-File system which will automatically send e-mail notification of such filing to:

Donald S. Clark
Secretary
Federal Trade Commission
Room H113
600 Pennsylvania Avenue, NW
Washington, D.C. 20580
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By electronic mail and United States First Class Mail to:

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This 6th day of May, 2011

By: /s/ Robert M. Brennan
Robert M. Brennan, Esq.

Attorney for Cleverley + Associates

EXHIBIT A

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

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HOSPITAL AUTHORITY OF,)	
ALBANY-DOUGHERTY COUNTY,)	
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Respondents.)	

**ORDER GRANTING CLEVERLEY + ASSOCIATES' UNOPPOSED
MOTION TO EXTEND THE DEADLINE TO FILE A MOTION TO QUASH AND/OR
LIMIT SUBPOENA DUCES TECUM**

Before the Administrative Law Judge is Cleverley + Associates' Unopposed Motion to Extend the Deadline to file a Motion to Quash and/or Limit the *Subpoena Duces Tecum* that the FTC served on Cleverley + Associates on or about April 25, 2013. Cleverley + Associates requests an extension to through and including May 9, 2013 to file any such motion to quash and/or limit. Having considered the motion, and the fact that it is unopposed by the FTC staff, this Court finds that the motion should be, and hereby is, GRANTED.

IT IS THEREFORE ORDERED that the deadline for Cleverley + Associates to file any Motion to Quash and/or Limit the *Subpoena Duces Tecum* that the FTC served on Cleverley + Associates is extended to through and including May 9, 2013.

Signed this ____ day of May, 2013.

D. Michael Chappell
Chief Administrative Law Judge