

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



In the Matter of)
)
Phoebe Putney Health System, Inc.)
a corporation, and)
)
Phoebe Putney Memorial Hospital, Inc.)
a corporation, and)
)
Phoebe North, Inc.)
a corporation, and)
)
HCA Inc.)
a corporation, and)
)
Palmyra Park Hospital, Inc.)
a corporation, and)
)
Hospital Authority of Albany-Dougherty)
County)

Docket No. 9348

PUBLIC VERSION

**RESPONDENTS' UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE A
RESPONSE TO ST. FRANCIS HOSPITAL'S MOTION TO QUASH SUBPOENA
DUCES TECUM**

Pursuant to Federal Trade Commission Rule of Practice 3.22, and 4.3(b) of the Federal Trade Commission's ("FTC" or "Commission") Rules of Practice for Adjudicative Proceedings ("FTC Rules of Practice"), Respondents Phoebe Putney Memorial Hospital, Inc. and Phoebe Putney Health System, Inc. ("Respondents") hereby moves to extend the deadline for responding to St. Francis Hospital's Motion to Quash Subpoena *Duces Tecum*. This motion seeks a brief extension of the current deadline for filing such a motion, from May 16, 2013, to through and including May 21, 2013. Counsel for St. Francis Hospital has been consulted regarding this motion and does not oppose the requested relief.

St. Francis Hospital raised a number of issues regarding the subpoena *duces tecum* that counsel for St. Francis and counsel for Respondents are attempting to resolve. Already, Respondents have agreed to significantly narrow the subpoena request in an effort to alleviate the burden on St. Francis Hospital. Given the ongoing fruitful negotiations, Respondents request an additional five days in order to attempt to resolve the outstanding concerns.

For the reason stated, Respondents respectfully request that a brief extension on the time to file be granted.

Dated: May 14, 2013

Respectfully submitted,

By /s/ John J. Fedele
John J. Fedele, Esq.
Baker & McKenzie LLP
815 Connecticut Avenue, NW
Washington, DC 20006
*Counsel For Phoebe Putney Memorial
Hospital, Inc. and Phoebe Putney Health
System, Inc.*

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| HCA Inc. |) | |
| a corporation, and |) | |
| |) | |
| Palmyra Park Hospital, Inc. |) | |
| a corporation, and |) | |
| |) | |
| Hospital Authority of Albany-Dougherty County |) | |

[PROPOSED] ORDER

Having reviewed Respondents' Unopposed Motion to Extend Deadline to File a Response to St. Francis Hospital's Motion to Quash Subpoena *Duces Tecum*, it is hereby

ORDERED that Respondents' Unopposed Motion to Extend Deadline to File a Response to St. Francis Hospital's Motion to Quash Subpoena *Duces Tecum* is GRANTED, and, it is further

ORDERED that Respondents shall file any Response to St. Francis Hospital's Motion to Quash Subpoena *Duces Tecum* no later than May 21, 2013.

D. Michael Chappell
Chief Administrative Law Judge

Dated:

CERTIFICATE OF SERVICE

I hereby certify that this 14th day of May, 2013 I filed the foregoing **UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE A RESPONSE TO ST. FRANCIS HOSPITAL'S MOTION TO QUASH SUBPOENA *DUCES TECUM*** via FTC e-file, with the paper original and a true and correct copy of the paper original via hand delivery to:

Donald S. Clark
Secretary
Federal Trade Commission
Room H113
600 Pennsylvania Avenue, NW
Washington, DC 20580
dclark@ftc.gov

I also certify that I delivered via electronic mail and hand delivery a copy of the foregoing **UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE A RESPONSE TO ST. FRANCIS HOSPITAL'S MOTION TO QUASH SUBPOENA *DUCES TECUM*** to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
Room H110
600 Pennsylvania Avenue, NW
Washington, DC 20580

and by electronic mail to the following:

Edward D. Hassi, Esq.
Trial Counsel
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
ehassi@ftc.gov

Jeff K. Perry, Esq.
Assistant Director
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
jperry@ftc.gov

Maria M. DiMoscato, Esq.
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
mdimoscato@ftc.gov

Sara Y. Razi, Esq.
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
srazi@ftc.gov

Christopher Abbott
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
cabbott@ftc.gov

Lucas Ballet
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
lballet@ftc.gov

Amanda Lewis
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
alewis1@ftc.gov

Mark Seidman
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
mseidman@ftc.gov

Stelios Xenakis
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
sxenakis@ftc.gov

Emmet J. Bondurant, Esq.
Bondurant@bmelaw.com
Michael A. Caplan, Esq.
caplan@bmelaw.com
Ronan A. Doherty, Esq.
doherty@bmelaw.com
Frank M. Lowrey, Esq.
lowrey@bmelaw.com
Bondurant, Mixson & Elmore, LLP
1201 West Peachtree St. N.W., Suite 3900
Atlanta, GA 30309

Robert C. Threlkeld, Esq.
rct@mmmlaw.com
Michele P. Madison, Esq.
mmadison@mmmlaw.com
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, Georgia 30326

Douglas Litvack
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
dlitvack@ftc.gov

Joshua Smith
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
jsmith3@ftc.gov

Jennifer Schwab
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
jschwab@ftc.gov

Kevin J. Arquit, Esq.
karquit@stblaw.com
Peter Thomas, Esq.
pthomas@stblaw.com
Aimee Goldstein, Esq.
agoldstein@stblaw.com
Jeff Coviello, Esq.
jcoviello@stblaw.com
Jennifer Rie, Esq.
jrie@stblaw.com
Jayma Meyer
jmeyer@stblaw.com
Simpson Thacher and Bartlett, LLP
425 Lexington Avenue
New York, New York 10017

This 14th day of May, 2013.

/s/ Jeremy Cline
Jeremy Cline, Esq.
*Counsel for Phoebe Putney Memorial
Hospital, Inc. and Phoebe Putney Health
System, Inc.*

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

May 14, 2013

By:

/s/ Jeremy W. Cline

Jeremy W. Cline, Esq.

*Counsel for Phoebe Putney Memorial
Hospital, Inc. and Phoebe Putney Health
System, Inc.*