

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

**COMPLAINT COUNSEL’S UNOPPOSED MOTION TO STAY THE COURT’S
RULING ON THE MOTION TO QUASH FILED BY
PRICEWATERHOUSECOOPERS LLP**

Pursuant to Rule 3.22 of the Federal Trade Commission’s Rules of Adjudicative Practice, Complaint Counsel respectfully submits this Unopposed Motion to Stay the Court’s Ruling on the Motion to Quash filed by PricewaterhouseCoopers LLP (“PwC”). PwC filed a Motion to Quash or Limit Subpoena *Duces Tecum* on May 6, 2013 and a Corrected Motion to Quash or Limit Subpoena *Duces Tecum* on May 9, 2013 (together “Motion to Quash”). Complaint Counsel moves this Court to stay its ruling on whichever motion to quash is operable. In support of this motion, Complaint Counsel states the following:

1. PwC's Motion to Quash does not request any relief of the Court at this time;¹ and
2. PwC's Motion to Quash is premised on an unlikely hypothetical situation in which Complaint Counsel were to withdraw subpoena Specification modifications and/or deferrals.

Accordingly, as provided in the attached Proposed Order, Complaint Counsel requests the Court to stay its ruling on the Motion to Quash unless and until PwC notifies the Court that the above-referenced hypothetical situation has occurred.

On May 15, 2013, Counsel for PwC indicated that PwC would not oppose this motion.

Dated: May 15, 2013

Respectfully submitted,

/s/ Maria DiMoscato

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¹ Motion to Quash at 1; see also PwC's Proposed Order attached to Motion to Quash.

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[PROPOSED] ORDER

Upon consideration of Complaint Counsel’s Unopposed Motion to Stay the Court’s Ruling of the Motion to Quash Filed by PricewaterhouseCoopers LLP (“PwC”),

IT IS HEREBY ORDERED that Complaint Counsel’s Motion is GRANTED and this Court’s ruling on PwC’s [Corrected] Motion to Quash is STAYED in its entirety.

IT IS FURTHER ORDERED that the stay will be lifted in the event that PwC notifies this Court that Complaint Counsel has withdrawn the modifications and/or renewed the deferred Specifications, upon which time Complaint Counsel will have three (3) days to file its opposition, if any, to PwC’s [Corrected] Motion to Quash.

D. Michael Chappell
Administrative Law Judge

DATED this ____ day of May, 2013

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2013 I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

I also certify that I delivered via electronic mail and hand delivery a copy of the foregoing document to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

I further certify that I delivered via electronic mail a copy of the foregoing document to:

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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 15, 2013

By: s/ Maria DiMoscato
Attorney