

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

ORIGINAL



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 RESPONDENTS' MOTIONS
TO EXTEND DEADLINE TO FILE A MOTION TO COMPEL
COMPLIANCE WITH SUBPOENAS *DUCES TECUM***

On May 28, 2013, Respondents Phoebe Putney Memorial Hospital, Inc. and Phoebe Putney Health System, Inc. ("Respondents") filed three separate motions seeking to extend the deadline for filing a motion to compel Cigna, Humana, and United Healthcare (the "Nonparties") to comply with subpoenas *duces tecum* served on them by Respondents ("Motions to Extend"). Respondents state that they seek an extension from the current deadline for filing such motions to compel from May 28, 2013 to May 31, 2013.

With respect to Cigna, Humana, and United Healthcare, Respondents assert that they are seeking to finalize an agreement that will result in production of documents by May 31, 2013, and that by delaying the filing of a motion to compel, Respondents seek to conserve judicial resources and avoid litigating matters that can be resolved between Respondents and the Nonparties. With respect to Cigna, Respondents state that counsel for Cigna has been consulted regarding the motion and does not oppose the requested relief. As to Humana and United Healthcare, Respondents assert that Respondents have not been able to ascertain the position of counsel for Humana or counsel for United Healthcare regarding Respondents' Motion to Extend.

Based on the foregoing, the Motions to Extend are hereby GRANTED, and it is ORDERED that the deadline for Respondents to file any motion to compel Cigna, Humana, or United Healthcare to comply with subpoenas *duces tecum* shall be May 31, 2013.

ORDERED:

DM Chappell
D. Michael Chappell
Chief Administrative Law Judge

Date: May 29, 2013