

ORIGINAL

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



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)

PUBLIC

Docket No. 9348

**COVENTRY HEALTH CARE OF GEORGIA, INC. AND AETNA INC.'S
NOTICE OF WITHDRAWAL OF THEIR
JOINT MOTION TO LIMIT SUBPOENA DUCES TECUM**

Coventry Health Care of Georgia, Inc. and Aetna Inc. (collectively, the "Health Plans"), each a non-party to this proceeding, hereby file this notice of withdrawal of their Joint Motion to Limit Subpoena *Duces Tecum* based on the following:

1. On April 26, 2013, Respondents Phoebe Putney Memorial Hospital, Inc., Phoebe Putney Health System, Inc., and Hospital Authority of Albany-Dougherty County (collectively, "Respondents") served identical subpoenas *duces tecum* (the "Subpoenas") on the Health Plans.
2. On May 17, 2013, the Health Plans timely filed a joint motion to limit Respondents' Subpoenas, taking account of the Health Plans' agreement to produce certain limited documents

in response to the Subpoenas, but otherwise requesting that the Administrative Law Judge limit the scope of the Respondents' Subpoenas.

3. On May 29, 2013, counsel for the Health Plans and Respondents reached an agreement that resolves all disputes between the parties related to the Subpoenas.

4. Counsel for Respondents consents to the withdrawal of the Health Plans' Motion to Limit Subpoena *Duces Tecum*.

WHEREFORE Coventry Health Care of Georgia, Inc. and Aetna Inc. respectfully withdraw their Joint Motion to Limit Subpoena *Duces Tecum*.

Dated: May 30, 2013

Respectfully Submitted,

/s/ Kerry M. Mustico

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*Attorneys for Aetna Inc. and Coventry Health Care of
Georgia, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that this 30th day of May, 2013, a true and correct copy of the foregoing **COVENTRY HEALTH CARE OF GEORGIA, INC. AND AETNA INC.'S NOTICE OF WITHDRAWAL OF JOINT MOTION TO 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
dclark@ftc.gov

I also certify that a copy of the foregoing will be delivered via electronic mail and Federal Express to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
Room H110
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and by electronic mail to:

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