

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



In the Matter of)
Pinnacle Entertainment, Inc.,)
a corporation,)
)
and)
)
Ameristar Casinos, Inc.,)
a corporation.)

Docket No. 9355
Public Redacted Version

JOINT MOTION TO WITHDRAW MATTER FROM ADJUDICATION

Pursuant to Rule 3.25(b) of the Rules of Practice of the Federal Trade Commission (“FTC Rules”), 16 C.F.R. § 3.25(b), Complaint Counsel and Counsel for the Respondents (collectively “the Parties”) jointly move to withdraw Docket No. 9355 from adjudication for the purpose of considering the proposed attached Consent Proposal and further move, pursuant to Rule 3.25(c) of the FTC’s Rules, that the Administrative Law Judge certify the motion and Consent Proposal to the Commission.

Complaint Counsel and Respondents represent that the Consent Proposal details the agreed upon material terms and there exists a “reasonable possibility of settlement” in accordance with Rule 3.25(b). Thus, the Parties request the matter be removed from adjudication for thirty (30) days to finalize the terms of a proposed Consent Agreement.

Dated: August 1, 2013

Respectfully submitted,

/s/ W. Stephen Smith
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Respectfully Submitted,

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Counsel Supporting the Complaint

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

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a corporation.)	
)	

[PROPOSED] ORDER WITHDRAWING MATTER FROM ADJUDICATION FOR THE PURPOSE OF CONSIDERING A CONSENT PROPOSAL

Complaint Counsel and Respondents, having jointly moved that this matter be withdrawn from adjudication because there is a reasonable possibility of a settlement, and the Commission having been satisfied that there is a likelihood of settlement in its entirety;

IT IS ORDERED, pursuant to Rule 3.25(d) of the Commission Rules of Practice, 16 C.F.R. § 3.25(d), that this matter in its entirety is hereby withdrawn from adjudication and that all proceedings before the Administrative Law Judge are hereby stayed for thirty (30) days pending a determination by the Commission with respect to the Consent Proposal;

IT IS FURTHER ORDERED, pursuant to Rule 3.25(b) of the Commission’s Rules of Practice, that the Consent Proposal shall not be placed on the public record unless and until it is accepted by the Commission:

By the Commission.

Donald S. Clark
Secretary

Dated

CONSENT PROPOSAL

CONFIDENTIAL

REDACTED IN ENTIRETY

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 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.

Dated: August 1, 2013

By: /s/ Jeremy P. Morrison

JEREMY P. MORRISON
Attorney for Counsel Supporting the Complaint