

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



In the Matter of)	
Pinnacle Entertainment, Inc.,)	
a corporation,)	Docket No. 9355
)	Public Redacted Version
and)	
)	
Ameristar Casinos, Inc.,)	
a corporation.)	
)	

JOINT MOTION TO WITHDRAW MATTER FROM ADJUDICATION

Pursuant to Rule 3.25(c) of the Rules of Practice of the Federal Trade Commission (“FTC Rules”), 16 C.F.R. § 3.25(c), 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 agreement. Although Administrative Law Judge Chappell certified a previously submitted motion to withdraw from adjudication on July 31, 2013, this Motion supersedes the original July 31, 2013 motion to withdraw. Complaint Counsel and Respondents represent that in their views, the agreement is appropriate to settle the issues in this proceeding and it conforms to the requirements of Rule 2.32 of the FTC Rules.

Dated: August 6, 2013

Respectfully submitted,

/s/ W. Stephen Smith

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and

/s/ Jeremy P. Morrison

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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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Pinnacle Entertainment, Inc.,)	
a corporation,)	Docket No. 9355
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Ameristar Casinos, Inc.,)	
a corporation.)	
)	

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

Complaint Counsel and Respondents, having jointly moved that this matter be withdrawn from adjudication to enable the Commission to consider a proposed Consent Agreement; and

Complaint Counsel and Counsel for the Respondents having submitted a proposed Consent Agreement containing a proposed Decision and Order, executed by the Respondents and by Complaint Counsel and approved by the Director of the Bureau of Competition which, if accepted by the Commission, would resolve this matter in its entirety;

IT IS ORDERED, pursuant to Rule 3.25(c) of the Commission Rules of Practice, 16 C.F.R. § 3.25(c), that this matter in its entirety is hereby withdrawn from adjudication and that all proceedings before the Administrative Law Judge are hereby stayed during that time as the Commission evaluates the proposed Consent Agreement, pursuant to Rule 3.25(f), 16 C.F.R. § 3.25(f); and

IT IS FURTHER ORDERED, pursuant to Rule 3.25(b) of the Commission’s Rules of Practice, that the Consent Agreement 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

PROPOSED CONSENT AGREEMENT

CONFIDENTIAL

REDACTED IN ENTIRETY

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 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 6, 2013

By: /s/ Jeremy P. Morrison
JEREMY P. MORRISON
Attorney for Counsel Supporting the Complaint