

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



In the Matter of

BENCO DENTAL SUPPLY CO.,
a corporation,

HENRY SCHEIN, INC.,
a corporation, and

PATTERSON COMPANIES, INC.
a corporation,

Respondents.

Docket No. 9379

**COMPLAINT COUNSEL’S NOTICE OF WITHDRAWAL OF MOTION *IN LIMINE*
TO EXCLUDE CERTAIN LATE PRODUCED EXHIBITS TO DR. LAWRENCE WU’S
EXPERT REPORT**

Please take notice that Complaint Counsel’s Motion *In Limine* to Exclude Certain Late Produced Exhibits to Dr. Lawrence Wu’s Expert Report, filed on October 10, 2018, is now moot as the Parties reached an agreement to resolve the dispute without intervention of this Court. As such, Complaint Counsel respectfully withdraws its Motion and requests that the Court deny the motion as moot.

Dated: October 16, 2018

Respectfully submitted,

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[PROPOSED] ORDER

Having considered Complaint Counsel's Notice of Withdrawal of its Motion *In Limine* to Exclude Certain late Produced Exhibits to Dr. Lawrence Wu's Expert Report, it is hereby ORDERED that Complaint Counsel's Motion is DENIED AS MOOT.

ORDERED:

D. Michael Chappell
Chief Administrative Law Judge

Date: October __, 2018

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2018, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

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

The Honorable D. Michael Chappell
Administrative Law Judge
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I further certify that I delivered via electronic mail a copy of the foregoing document to:

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October 16, 2018

By: /s/ Lin W. Kahn
Attorney

CERTIFICATE OF 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 documents that is available for review by the parties and the adjudicator.

October 16, 2018

By: /s/ Lin W. Kahn
Attorney