

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

In the Matter of
Sysco Corporation,
a corporation,
USF Holding Corp.,
a corporation, and
US Foods Inc.,
a corporation,
Respondents.

DOCKET NO. 9364

ORDER GRANTING UNOPPOSED MOTION
FOR EXTENSION OF TIME

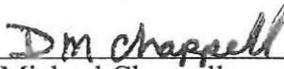
On May 13, 2015, Respondents Sysco Corporation (“Sysco”), USF Holding Corp., and US Foods Inc. (“US Foods”) (collectively, “Respondents”) filed an Unopposed Motion for Extension of Time (“Motion”), seeking an extension of the deadlines for Respondents to file objections and responses to (1) Federal Trade Commission (“FTC”) Complaint Counsel’s Requests for Admissions, which were served on May 1, 2015, and (2) Complaint Counsel’s Requests for Production of Documents, which were served on Sysco on April 17, 2015 and on US Foods on April 18, 2015. The Motion requests that the deadlines for the foregoing discovery responses be extended to May 22, 2015. Under the Scheduling Order issued in this case, the deadline for the close of fact discovery is May 15, 2015.

In support of its Motion, Respondents state that at present time, the parties are actively engaged in a seven-day preliminary injunction hearing in the United States District Court for the District of Columbia and that both parties are currently focused on preparing and presenting their cases in the federal matter. Respondents further state that, in order to permit Respondents to focus their efforts on that hearing, Respondents have requested, and Complaint Counsel has agreed, to extend Respondents’ time to respond to Complaint Counsel’s Requests for Admissions and Requests for Production of Documents. In addition, Respondents state that delaying Respondents’ deadlines to object and respond to Complaint Counsel’s Requests for Admissions and Requests for Production of Documents will not prejudice Complaint Counsel.

Pursuant to FTC Practice Rule 3.21(c)(2), which governs the revision of scheduling order deadlines, Respondents have demonstrated good cause for granting the requested extensions, which are not opposed by Complaint Counsel. No extensions of any other deadlines set by the Scheduling Order have been sought previously. Neither the hearing date in this matter, nor any other deadlines established by the Scheduling Order issued in this case would be affected.

Accordingly, Respondents' Unopposed Motion for Extension of Time is GRANTED, and it is hereby ORDERED that the deadline for Respondents to file objections and responses to Complaint Counsel's Requests for Admissions is hereby extended to May 22, 2015, and the deadline for Respondents to file objections and responses to Complaint Counsel's Requests for Production of Documents is hereby extended to May 22, 2015. The Scheduling Order deadline for the close of fact discovery is hereby extended for these limited purposes. All Additional Provisions to the March 16, 2015 Scheduling Order remain in effect.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: May 13, 2015