

ORIGINAL

PUBLIC

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



_____)
In the Matter of)
)
LabMD, Inc.,)
a corporation,)
Respondent.)
_____)

DOCKET NO. 9357

ORDER GRANTING JOINT MOTION FOR *IN CAMERA* TREATMENT OF EXHIBIT CONTAINING SENSITIVE PERSONAL INFORMATION

Pursuant to Rule 3.45(b) of the Federal Trade Commission's ("FTC") Rules of Practice and the Revised Scheduling Order entered in this matter on October 22, 2013, FTC Complaint Counsel and Respondent, on May 14, 2014, filed a joint motion seeking permanent *in camera* treatment for Respondent's exhibit RX 415.

Under Rule 3.45(b) of the Rules of Practice, after finding that material constitutes "sensitive personal information," the Administrative Law Judge shall order that such material be placed *in camera*. 16 C.F.R. § 3.45(b). "Sensitive personal information" is defined as including, but not limited to, "an individual's Social Security number, taxpayer identification number, financial account number, credit card or debit card number, driver's license number, state-issued identification number, passport number, date of birth (other than year), and any sensitive health information identifiable by individual, such as an individual's medical records." 16 C.F.R. § 3.45(b). "Sensitive personal information . . . shall be accorded permanent *in camera* treatment unless disclosure or an expiration date is required or provided by law." 16 C.F.R. § 3.45(b)(3).

The parties have demonstrated that RX 415 contains "sensitive personal information." Accordingly, the Motion is GRANTED. Permanent *in camera* treatment is accorded to RX 415.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: May 15, 2014