

ORIGINAL

PUBLIC

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



In the Matter of

Phoebe Putney Health System, Inc.
a corporation,

Phoebe Putney Memorial Hospital, Inc.
a corporation,

Phoebe North, Inc.
a corporation,

HCA, Inc.
a corporation,

Palmyra Park Hospital, Inc.
a corporation, and

Hospital Authority of Albany-Dougherty
County,
Respondents.

DOCKET NO. 9348

JOINT STATUS REPORT

Pursuant to this Court's September 8, 2014 Order Requiring Joint Status Report, Complaint Counsel and Counsel for the Respondents (collectively, "the parties") file this joint status report.

On August 22, 2013, the Commission accepted for public comment a proposed consent agreement to settle the Part 3 litigation relating to the acquisition of Palmyra Park Hospital from HCA by Phoebe Putney Health System and the Hospital Authority of Albany-Dougherty County. After considering the public comments and additional information obtained in response

to the public comments, the Commission withdrew its acceptance of the proposed consent agreement and returned the matter to Part 3 litigation on September 4, 2014.

When the Commission withdrew the matter from Part 3 litigation on June 24, 2013, the parties had begun, but not completed, discovery. Given the point at which discovery stopped, the amount of time that has elapsed since then, and the time available before the Part 3 trial is scheduled to begin, the parties attach a joint proposed scheduling order that allows for updated discovery and sets forth a proposed schedule for the remainder of the pretrial proceedings.

Dated: September 12, 2014

Respectfully Submitted,

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[PROPOSED] JOINT SCHEDULING ORDER

On September 4, 2014, the Commission determined to return this case to administrative proceedings and directed the issuance of revised scheduling deadlines, including a new hearing date to begin no later than February 4, 2015.

Date	Event
September 12, 2014	Status Report
TBD	Revised Scheduling Order Issued
October 3, 2014	Deadline for issuing supplementary document requests, requests for admission, interrogatories, subpoenas <i>duces tecum</i> , subpoenas <i>ad testificandum</i> , and requests for site inspection, except for discovery for the purposes of authenticity and admissibility of exhibits. Written discovery served upon the parties shall be limited to seeking information created or received after June 24, 2013. Any discovery requests outstanding as of June 24, 2013, need not be re-served.
November 17, 2014	Fact Discovery Closes
November 18, 2014	Complaint Counsel and Respondents' Counsel exchange expert witness lists
December 1, 2014	Complaint Counsel's Expert Reports Due
December 10, 2014	CC's Final Proposed Witness List CC's Exhibit List and Copies of Exhibits w basis of admissibility for each CC's Deposition Designations CC's Brief Summary of testimony for each witness
December 15, 2014	Respondents' Counsel Expert Reports Due
December 23, 2014	RC's Final Proposed Witness List RC's Exhibit List and Copies of Exhibits w basis of admissibility for each RC's Deposition Designations RC's Brief Summary of testimony for each witness
December 23, 2014	<i>In Camera</i> Treatment Notices Due – Parties that intend to offer confidential materials of an opposing party or non-party as evidence at the hearing must provide notice to the opposing party or non-party, pursuant to 16 C.F.R. §3.45(b).

Date	Event
December 26, 2014	Complaint Counsel's List of Rebuttal Experts and Rebuttal Expert Report(s) Due
December 30, 2014	Summary Decision Motions Due
January 8, 2015	<i>In Camera</i> Motions Due
January 8, 2015	Deposition of Experts Deadline
January 12, 2015	Transcript Designations Due
January 13, 2015	<i>In Limine</i> Motions Due
January 15, 2015	Objections to Final Proposed Witness List and Exhibits Due
January 16, 2015	Objections to Designated Testimony Due
January 16, 2015	Responses to <i>In Camera</i> Motions Due
January 20, 2015	Complaint Counsel's Pre-Trial Brief Due
January 20, 2015	Responses to <i>In Limine</i> Motions Due
January 22, 2015	Exchange proposed stipulations of law, facts and authenticity
January 30, 2015	Respondents' Counsel's Pre-Trial Brief Due
February 2, 2015	Final Prehearing Conference
February 4, 2015	Trial begins

CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2014, 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 a copy of the foregoing document to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
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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.

September 12, 2014

By: s/ Maria M. DiMoscato
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