

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, and)
)
Phoebe Putney Memorial Hospital, Inc.)
a corporation, and)
)
Phoebe North, Inc.)
a corporation, and)
)
HCA Inc.)
a corporation, and)
)
Palmyra Park Hospital, Inc.)
a corporation, and)
)
Hospital Authority of Albany-Dougherty)
County)

Docket No. 934)
PUBLIC VERSION

ORIGINAL

**RESPONDENTS’ UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE A
RESPONSE TO BLUE CROSS AND BLUE SHIELD OF GEORGIA’S MOTION TO
QUASH SUBPOENA DUCES TECUM**

Pursuant to Federal Trade Commission Rule of Practice 3.22, and 4.3(b) of the Federal Trade Commission’s (“FTC” or “Commission”) Rules of Practice for Adjudicative Proceedings (“FTC Rules of Practice”), Respondents Phoebe Putney Memorial Hospital, Inc., Phoebe Putney Health System, Inc., and Hospital Authority of Albany-Dougherty County (“Respondents”) hereby move to extend the deadline for responding to the Motion to Quash Subpoena *Duces Tecum* filed by Blue Cross and Blue Shield of Georgia, Inc. (“BCBS”). This motion seeks a brief extension of the current deadline for filing such a motion, from October 23, 2014, to

through and including November 7, 2014. Counsel for BCBS has been consulted regarding this motion and does not oppose the requested relief.

BCBS raised a number of issues regarding the subpoena *duces tecum* that counsel for BCBS and counsel for Respondents are attempting to resolve. Counsel for Respondents hope that additional time will allow the parties to narrow the scope of the objections that will need to be addressed by motion.

Additionally, Respondents filed yesterday an Unopposed Motion For Temporary Stay which, if granted, could help alleviate the burden on third-party subpoena recipients such as BCBS. By providing Respondents additional time to file their response to BCBS's Motion to Quash Subpoena *Duces Tecum*, the parties will hopefully receive a decision on the Unopposed Motion For Temporary Stay, further clarifying the timeline for the production of third-party discovery.

For the reasons stated, Respondents respectfully request that a brief extension on the time to file be granted.

Dated: October 22, 2014

Respectfully submitted,

By /s/ John J. Fedele

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

In the Matter of)	
)	
Phoebe Putney Health System, Inc.)	Docket No. 9348
a corporation, and)	
)	
Phoebe Putney Memorial Hospital, Inc.)	
a corporation, and)	
)	
Phoebe North, Inc.)	
a corporation, and)	
)	
HCA Inc.)	
a corporation, and)	
)	
Palmyra Park Hospital, Inc.)	
a corporation, and)	
)	
Hospital Authority of Albany-Dougherty County)	

[PROPOSED] ORDER

Having reviewed Respondents' Unopposed Motion to Extend Deadline to File a Response to Blue Cross and Blue Shield of Georgia, Inc.'s Motion to Quash Subpoena *Duces Tecum*, it is hereby

ORDERED that Respondents' Unopposed Motion to Extend Deadline to File a Response to Blue Cross and Blue Shield of Georgia, Inc.'s Motion to Quash Subpoena *Duces Tecum* is GRANTED, and, it is further

ORDERED that Respondents shall file any Response to Blue Cross and Blue Shield of Georgia, Inc.'s Motion to Quash Subpoena *Duces Tecum* no later than November 7, 2014.

D. Michael Chappell
Chief Administrative Law Judge

Dated:

CERTIFICATE OF SERVICE

I hereby certify that this 22nd day of October, 2014 a true and correct copy of the foregoing document was filed via FTC e-file, which will send notification of such filing to:

Donald S. Clark
Secretary
Federal Trade Commission
Room H113
600 Pennsylvania Avenue, NW
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
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and by electronic mail to the following:

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This 22nd day of October, 2014.

/s/ Jeremy W. Cline
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*Counsel for Phoebe Putney Memorial
Hospital, Inc. and Phoebe Putney Health
System, Inc.*

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.

October 22, 2014

By:

/s/ Jeremy W. Cline

Jeremy W. Cline, Esq.

*Counsel for Phoebe Putney Memorial Hospital, Inc.,
Phoebe Putney Health System, Inc., and Phoebe North,
Inc.*