

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



In the matter of

STERIS Corporation
a corporation,

and

Synergy Health plc,
a corporation.

Docket No. 9365

**CORRECTED JOINT MOTION FOR
EXTENSION OF UPCOMING SCHEDULING ORDER DEADLINES**

Pursuant to Rule 3.21(c)(2) of the Federal Trade Commission's Rules of Practice for Adjudicative Proceedings, Respondents, STERIS Corporation and Synergy Health plc, and Complaint Counsel respectfully jointly move for a short extension of time for (1) Respondents to file their final proposed witness and exhibit lists in the above-captioned matter; (2) parties to provide notice to opposing parties or non-parties for whom parties intend to offer confidential materials at the hearing; (3) Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s); and (4) the deadline for depositions of experts and exchange of expert related exhibits.¹

This extension is requested in order to provide adequate time for the parties to fully evaluate the September 24, 2015 Opinion and Order Denying Plaintiff's Motion for Preliminary

¹ Under the Scheduling Order, the current deadline for (1) Respondents to file their final proposed witness and exhibit lists is October 2, 2015; (2) parties to provide notice to opposing parties or non-parties for whom parties intend to offer confidential materials at the hearing is October 5, 2015; (3) Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s) is October 5, 2015; and (4) depositions of experts and exchange of expert related exhibits is October 9, 2015.

Injunction in *FTC v. STERIS Corporation, et al.*, No. 15-cv-1080-DAP (N.D. Ohio). No extensions of any other deadlines have been previously sought in this matter.

Respondents and Complaint Counsel respectfully request the entry of an Order granting an extension of time for (1) Respondents to file their final proposed witness and exhibit lists on October 7, 2015; (2) parties to provide notice to opposing parties or non-parties for whom parties intend to offer confidential materials at the hearing on October 12, 2015; (3) Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s) on October 12, 2015; and (4) parties to depose experts and exchange expert related exhibits on October 14, 2015. None of the requested modifications to the scheduling order would affect the date on which the hearing would commence. A proposed order is attached for the Court's consideration.

Dated: September 29, 2015

Respectfully submitted,

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Counsel for Respondent Synergy Health plc

Dated: September 29, 2015

Respectfully Submitted,

Of Counsel:

/s/ Tara Reinhart

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**[PROPOSED] ORDER GRANTING JOINT MOTION FOR
EXTENSION OF UPCOMING SCHEDULING ORDER DEADLINES**

Good cause having been shown,

IT IS ORDERED:

That Respondents' and Complaint Counsel's Joint Motion for Extension of Upcoming Scheduling Order Deadlines is GRANTED; and

- (1) Respondents' deadline to file final proposed witness and exhibit lists is hereby extended to and including October 7, 2015;
- (2) Parties' deadline to provide notice to opposing parties or non-parties for whom parties intend to offer confidential materials at the hearing is hereby extended to and including October 12, 2015;
- (3) Complaint Counsel's deadline to identify rebuttal expert(s) and provide rebuttal expert report(s) is extended to and including October 12, 2015; and
- (4) Parties' deadline for depositions of experts and exchange of expert related exhibits is extended to and including October 14, 2015.

Date: _____, 2015

D. Michael Chappell
Chief Administrative Law Judge

Notice of Electronic Service

I hereby certify that on September 29, 2015, I filed an electronic copy of the foregoing Corrected Joint Motion for Extension of Deadlines, with:

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I hereby certify that on September 29, 2015, I served via E-Service an electronic copy of the foregoing Corrected Joint Motion for Extension of Deadlines, upon:

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I hereby certify that on September 29, 2015, I served via other means, as provided in 4.4(b) of the foregoing Corrected Joint Motion for Extension of Deadlines, upon:

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