

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



**In the Matter of**

**BENCO DENTAL SUPPLY CO.,  
a corporation,**

**HENRY SCHEIN, INC.,  
a corporation, and**

**PATTERSON COMPANIES, INC.,  
a corporation,**

**Respondents.**

**Docket No. 9379**

**COMPLAINT COUNSEL'S UNOPPOSED MOTION TO EXTEND THE DEADLINE TO  
RESPOND TO PATTERSON'S MOTION TO DISMISS THE CASE AGAINST  
PATTERSON IN ITS ENTIRETY**

Pursuant to Federal Trade Commission Rules of Practice for Adjudicative Proceedings ("Rule") 3.22(a) and 4.3(b), 16 C.F.R. §§ 3.22(a), 4.3(b), Complaint Counsel hereby moves to extend the deadline by seven (7) days for filing its Response to Respondent Patterson's Motion to Dismiss The Case Against Patterson in its Entirety ("Motion") to January 9, 2019. Counsel for Respondent Patterson has been consulted regarding this motion and does not oppose the requested relief.

Respondent Patterson filed its Motion on December 21, 2018. Under the Rules, Complaint Counsel's response to Respondent Patterson's Motion is due on January 2, 2019. Complaint Counsel seeks an additional seven (7) days to respond because there are three (3) federal holidays scheduled between now and the time that Complaint Counsel's Response to Respondent Patterson's Motion is due. In addition, under Rule 3.22(a) the Court will defer

ruling on this motion until after Respondents have concluded their case in chief and the record is closed. Therefore, Complaint Counsel must continue in their preparation for trial now scheduled to resume on January 9, 2019.

For the reasons stated above, Complaint Counsel respectfully requests that the Court grant an extension of seven days (7) to January 9, 2019 for the time to file a response to Respondent Patterson's Motion.

Dated: December 21, 2018

Respectfully submitted,

/s/ Thomas Dillickrath

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*Counsel Supporting the Complaint*

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a corporation,**

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a corporation,**

**Respondents.**

**Docket No. 9379**

**[PROPOSED] ORDER GRANTING COMPLAINT COUNSEL'S UNOPPOSED MOTION  
TO EXTEND THE DEADLINE TO RESPOND TO PATTERSON'S MOTION TO  
DISMISS THE CASE AGAINST PATTERSON IN ITS ENTIRETY**

Complaint Counsel filed an Unopposed Motion to Extend the Deadline to Respond to Patterson's Motion to Dismiss the Case Against Patterson in its Entirety on December 21, 2018. Complaint Counsel requests an additional seven (7) days to January 9, 2019 to respond to Respondent Patterson's Motion to Dismiss the Case Against Patterson in its Entirety ("Motion"). Complaint Counsel's motion for an extension is not opposed by Respondent Patterson.

Having considered the motion, good cause exists to extend the deadline as requested by Complaint Counsel, pursuant to Rule 4.3(b). *See* 16 C.F.R. § 4.3(b). Thus, Complaint Counsel's unopposed motion to extend the deadline to respond to Respondent Patterson's Motion is:

**GRANTED;** and

**IT IS HEREBY ORDERED** that the deadline for Complaint Counsel to file its Response to Patterson's Motion is extended to January 9, 2019.

**ORDERED:**

Dated: \_\_\_\_\_

\_\_\_\_\_

D. Michael Chappell,  
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2018, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

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Federal Trade Commission  
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Washington, DC 20580

The Honorable D. Michael Chappell  
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I further certify that I delivered via electronic mail a copy of the foregoing document to:

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*Counsel For Respondent Patterson Companies, Inc.*

December 21, 2018

By:         /s/ Lin W. Kahn          
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CERTIFICATE OF 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 documents that is available for review by the parties and the adjudicator.

December 21, 2018

By: /s/ Lin W. Kahn  
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Notice of Electronic Service

**I hereby certify that on December 21, 2018, I filed an electronic copy of the foregoing COMPLAINT COUNSEL'S UNOPPOSED MOTION TO EXTEND THE DEADLINE TO RESPOND TO PATTERSON'S MOTION TO DISMISS THE CASE AGAINST PATTERSON IN ITS ENTIRETY, with:**

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**I hereby certify that on December 21, 2018, I served via E-Service an electronic copy of the foregoing COMPLAINT COUNSEL'S UNOPPOSED MOTION TO EXTEND THE DEADLINE TO RESPOND TO PATTERSON'S MOTION TO DISMISS THE CASE AGAINST PATTERSON IN ITS ENTIRETY, upon:**

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