

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



_____)
In the Matter of)
)
Cabell Huntington Hospital, Inc.)
a corporation,)
)
Pallottine Health Services, Inc.)
a corporation, and)
)
St. Mary's Medical Center, Inc.)
a corporation,)
)
Respondents.)
_____)

DOCKET NO. 9366

**ORDER GRANTING COMPLAINT COUNSEL'S UNOPPOSED
MOTION FOR ISSUANCE OF SUBPOENA *DUCES TECUM***

On January 4, 2015, pursuant to Rule 3.36 of the Federal Trade Commission's Rules of Practice, Federal Trade Commission Complaint Counsel filed a motion for an order authorizing the Secretary of the Commission to issue a subpoena *duces tecum* to Marshall University, a public university in the State of West Virginia. Complaint Counsel represents that Respondents do not oppose the motion.

Rule 3.36(b) requires the party seeking issuance of a subpoena to an official or employee of another government agency for the production of documents to make a showing that: the material sought is reasonable in scope; the material is within the limits of discovery under Rule 3.31(c)(1); the information or material sought cannot reasonably be obtained by other means; and the subpoena meets the requirements of Rule 3.37. Complaint Counsel's motion meets the requirements of Rule 3.36 and is therefore GRANTED.

Pursuant to Rule 3.34, in the event that Marshall University seeks to limit or quash the subpoena, Marshall University shall have the earlier of ten days after service of the subpoena or the time for compliance therewith to file any such motion. 16 C.F.R. §3.34(c).

Pursuant to Rule 3.36(c), Complaint Counsel may forward to the Secretary a request for the authorized subpoena, with a copy of this authorizing order attached. Complaint Counsel shall serve a copy of this order on Marshall University at the time it serves the subpoena. 16 C.F.R. § 3.36(c).

ORDERED:

Dm Chappell
D. Michael Chappell
Chief Administrative Law Judge

Date: January 5, 2016

Notice of Electronic Service

I hereby certify that on January 05, 2016, I filed an electronic copy of the foregoing Order Granting Complaint Counsel's Unopposed Motion for Issuance of Subpoena Duces Tecum, with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
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Washington, DC, 20580

I hereby certify that on January 05, 2016, I served via E-Service an electronic copy of the foregoing Order Granting Complaint Counsel's Unopposed Motion for Issuance of Subpoena Duces Tecum, upon:

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