

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



In the Matter of)
)
Sanford Health,)
a corporation,)
)
Sanford Bismarck,)
a corporation, and)
)
Mid Dakota Clinic, P.C.,)
a corporation,)
)
Respondents.)

DOCKET NO. 9376

FOURTH REVISED SCHEDULING ORDER

On December 22, 2017, the Federal Trade Commission (“Commission”) entered an order granting Respondents’ Unopposed Expedited Motion for Further Continuance of Administrative Proceedings Pending Appeal of Order Granting Motion for Preliminary Injunction. Respondents asked the Commission to continue commencement of the administrative hearing until 21 days after the Eighth Circuit Court of Appeals rules on Respondents’ pending appeal of the District Court’s order granting the Commission’s motion for a preliminary injunction. The Commission’s Order stated in pertinent part:

[T]he evidentiary hearing shall commence 21 days after the United States Court of Appeals for the Eighth Circuit renders its judgment on Respondents’ appeal, and . . . all pre-hearing deadlines shall be extended until after the Court of Appeals renders its judgment, as determined by the Administrative Law Judge.

It is hereby ORDERED that (1) all pre-hearing deadlines in the Third Revised Scheduling Order issued on November 27, 2017 are reset to 18 days after the date upon which the Eighth Circuit Court of Appeals renders its judgment in the Respondents’ appeal of the District Court’s order granting the Commission’s motion for preliminary

injunction, and (2) the Final Prehearing Conference is hereby reset for 20 days after the date upon which the Eighth Circuit Court of Appeals renders its judgment in the Respondents' appeal of the District Court's order granting the Commission's motion for preliminary injunction, beginning at 1:00 p.m. in the FTC Courtroom, Room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, NW, Washington, DC 20580.¹

All of the Additional Provisions in the July 14, 2017 Scheduling Order shall remain in effect.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: December 26, 2017

¹ Pursuant to Commission Rule 4.3(a), if the 18th and/or 20th day, as calculated above, lands on a Saturday, Sunday, or national holiday, the applicable date shall be the first business day thereafter.