

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

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

**ORDER ON NON-PARTY BRASSELER'S
RENEWED MOTION FOR *IN CAMERA* TREATMENT**

An Order issued October 11, 2018 resolved motions for *in camera* treatment filed by certain non-parties, including the motion of non-party Brasseler USA (“Brasseler”) (October 11 Order). The October 11 Order granted Brasseler’s motion except with respect to a deposition transcript, which was denied without prejudice because Brasseler did not narrow its request to only the portions of testimony containing confidential information. Brasseler has now filed a renewed motion seeking *in camera* treatment for only those pages and line numbers of the deposition transcript that contain information that meets the standards for *in camera* treatment. Complaint Counsel and Respondents do not oppose the renewed motion.

The October 11 Order sets forth the standards by which the renewed motion is reviewed. The motion is GRANTED, as set forth below.

Brasseler seeks *in camera* treatment for portions of one deposition transcript, identified as RX2955. Brasseler supports its motion with a declaration from its senior director and general counsel. The declaration describes in detail the confidential nature of the information discussed in the designated portions of the deposition, the competitive harm that Brasseler would suffer if this information were made publicly available, and the measures that Brasseler takes to ensure that the information discussed therein remains confidential. The declaration explains that certain portions of the deposition reflect competitively sensitive information regarding Brasseler’s current revenue and sales channels, descriptions of Brasseler’s proprietary business structure and operations, and sensitive information relating to Brasseler’s ownership structure.

Brasseler has met its burden of demonstrating that the selected portions of deposition testimony are entitled to *in camera* treatment. *In camera* treatment for a period of five years, to expire on October 1, 2023, is GRANTED for the following portions of RX2995: 13:4-10; 17:18-20; 18:15-19:7; 21:3-5; 99:21-108:15.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: October 29, 2018