

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



ORIGINAL

Docket No. 9391

In the Matter of)
)
Peabody Energy Corporation,)
a public company,)
)
and)
)
Arch Coal, Inc.,)
a public company,)
)
Respondents.)

**JOINT MOTION TO HOLD RULE 3.21(b)
SCHEDULING CONFERENCE TELEPHONICALLY**

Complaint Counsel and Respondents Peabody Energy Corporation and Arch Coal, Inc. (collectively, “Respondents”) respectfully submit this joint motion requesting that the Rule 3.21(b) scheduling conference be held telephonically.

Currently, the Rule 3.21(b) scheduling conference is set for an in-person hearing at 1:00 pm on March 26, 2020. Due to ongoing public health concerns and consistent with guidance from the Centers for Disease Control,¹ Complaint Counsel and Respondents request that the Court hold the scheduling conference telephonically. Complaint Counsel will initiate the telephone conference and contact the Court after all parties are present for the call. A proposed order is attached.

¹ See, e.g., Centers for Disease Control, Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission at 6, available at <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf>.

Dated: March 17, 2020

Respectfully Submitted,

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_____)	

**[PROPOSED] ORDER TO HOLD
SCHEDULING CONFERENCE TELEPHONICALLY**

On March 17, 2020, the parties filed a Joint Motion to Hold Rule 3.21(b) Scheduling Conference Telephonically. Upon consideration of this motion, it is hereby GRANTED.

Pursuant to Commission Rule 3.21(b), the initial scheduling conference will be held telephonically on March 26, 2020 at 1:00 pm. Complaint Counsel will initiate the telephone conference and contact the Court after all parties are present for the call.

ORDERED:

D. Michael Chappell
Chief Administrative Law Judge

Date:

CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2020, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Acting Secretary
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The Honorable D. Michael Chappell
Administrative Law Judge
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I also certify that I caused the foregoing document to be served via email to:

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CERTIFICATE FOR 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 document that is available for review by the parties and the adjudicator.

March 17, 2020

By: s/ Daniel Matheson
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