

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

_____)	
In the Matter of)	
)	
Illumina, Inc.,)	
a corporation,)	Docket No. 9401
)	
and)	
)	
GRAIL, Inc.,)	
a corporation,)	
)	
Respondents.)	
_____)	

**ORDER GRANTING RESPONDENT ILLUMINA, INC.’S
FOURTH MOTION FOR *IN CAMERA* TREATMENT**

By Order issued September 3, 2021, the third motion for *in camera* treatment filed by Respondent Illumina, Inc. (“Respondent” or “Illumina”) was denied without prejudice in part (“September 3 Order”). The September 3 Order directed Respondent to narrow the designations in its depositions and investigational hearing transcripts for which it seeks *in camera* treatment. In its fourth motion for *in camera* treatment, filed on September 8, 2021, Respondent seeks *in camera* treatment for limited designations in its depositions and investigational hearing transcripts and for three additional documents (“Motion”). Complaint Counsel did not file an opposition to the Motion.

Respondent has now complied with the September 3 Order. *In camera* treatment, for a period of five years, to expire on September 1, 2026, is GRANTED for the designated testimony in the deposition and investigational hearing transcripts identified in its Motion.

In addition, Illumina requests *in camera* treatment for three additional exhibits that it asserts contain confidential information regarding a confidential third-party partnership that has not been publicly disclosed. Illumina has demonstrated that these exhibits meet the standards for *in camera* treatment. Accordingly, *in camera* treatment for a period of five years, to expire on September 1, 2026, is GRANTED for the designated portions of PX6050 and PX6066 and for RX2767.

Illumina was previously ordered to prepare a proposed order listing, by exhibit number, the documents that have been granted *in camera* treatment by previous orders. Illumina shall include the exhibits and designated testimony that have been granted *in camera* treatment by this Order in that proposed order. Illumina shall file the proposed order one day before the close of the hearing record in this case.¹

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: September 10, 2021

¹ Pursuant to Federal Trade Commission (“FTC”) Rule of Practice 3.44(c), an order closing the hearing record will be issued three business days after the completion of the evidentiary hearing.