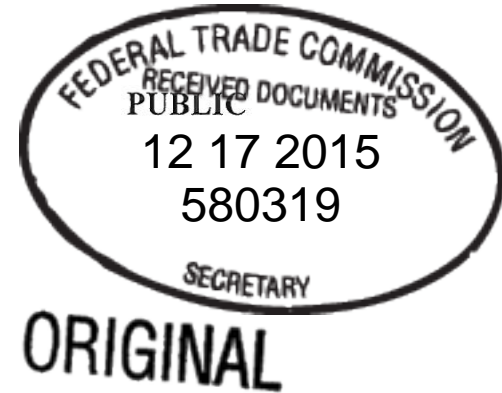


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



_____)
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
MOTIONS FOR ISSUANCE OF SUBPOENAS *DUCES TECUM***

On December 16, 2015, pursuant to Rule 3.36 of the Federal Trade Commission's Rules of Practice, Federal Trade Commission Complaint Counsel filed two motions for orders authorizing the Secretary of the Commission to issue a subpoena *duces tecum* to the West Virginia Health Care Authority ("WVHCA"), an agency of the State of West Virginia, and a subpoena *duces tecum* to the Kentucky Cabinet for Health and Family Services ("Kentucky CHFS"), an agency of the Commonwealth of Kentucky. Complaint Counsel represents that Respondents do not oppose the motions.

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 motions meet the requirements of Rule 3.36 and are therefore GRANTED.

Pursuant to Rule 3.34, in the event that WVHCA or Kentucky CHFS seek to limit or quash the subpoenas, WVHCA or Kentucky CHFS 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 subpoenas, with a copy of this authorizing order attached. Complaint Counsel shall serve a copy of this order on WVHCA and Kentucky CHFS at the time it serves the subpoenas. 16 C.F.R. § 3.36(c).

ORDERED:

Dm Chappell
D. Michael Chappell
Chief Administrative Law Judge

Date: December 17, 2015

Notice of Electronic Service

I hereby certify that on December 17, 2015, I filed an electronic copy of the foregoing Order Granting Complaint Counsel's Motions Unopposed Motions for Issuance of Subpoenas Decus Tecum, with:

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

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on December 17, 2015, I served via E-Service an electronic copy of the foregoing Order Granting Complaint Counsel's Motions Unopposed Motions for Issuance of Subpoenas Decus Tecum, upon:

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