

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

8248395

_____)
In the Matter of)
)
Summit Technology, Inc.,)
a Corporation, and) DOCKET No. 9286
)
VISX, Incorporated,)
a Corporation.)
_____)

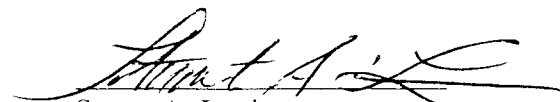
ORDER GRANTING WITHDRAWAL OF CERTIFICATION

On October 16, 1998, respondent VISX, Incorporated ("VISX") requested certification to the Commission of a recommendation that the Commission seek court enforcement of a subpoena *duces tecum* served on nonparty Autonomous Technologies Corporation ("ATC"). On October 28, 1998, VISX's request was granted.

On November 18, 1998, ATC began production of documents responsive to VISX's subpoena, and VISX has accordingly moved to withdraw, without prejudice, its Motion requesting enforcement of subpoena *duces tecum*. Accordingly:

IT IS ORDERED that VISX's Motion to Withdraw, be and it hereby is GRANTED, and

IT IS FURTHER ORDERED that Certification to the Commission for Enforcement of Subpoena be, and it hereby is, withdrawn.

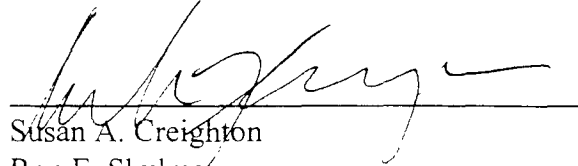

Stuart A. Levin
Administrative Law Judge

Date: November 30, 1998

without prejudice to renewing the motion should ATC fail to produce the remainder of responsive documents.

Dated: November 23, 1998

Respectfully submitted,



Susan A. Creighton

Ron E. Shulman

Mark D. Flanagan

Andrew Leibnitz

WILSON SONSINI GOODRICH & ROSATI

650 Page Mill Road

Palo Alto, CA 94304

Telephone: (650) 493-9300

Joseph J. Simons

ROGERS & WELLS

607 14th Street, N.W.

Washington, D.C. 20005-2018

Telephone: (202) 434-0700

Attorneys for Respondent VISX, Incorporated