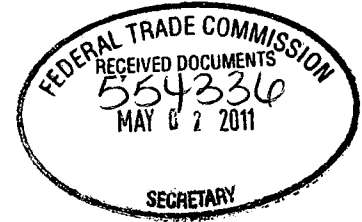


**ORIGINAL**

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



\_\_\_\_\_  
In the Matter of )  
)

ProMedica Health System, Inc. )  
a corporation. )  
)  
\_\_\_\_\_ )

Docket No. 9346

Public Document

**CONSENT MOTION FOR JOINT SCHEDULING CONFERENCE  
AND MEMORANDUM IN SUPPORT THEREOF**

Pursuant to Rule 3.21(f) of the Commission Rules of Practice, Complaint Counsel respectfully requests a scheduling or status conference as soon as possible to be held jointly with a scheduling conference in *In the Matter of POM Wonderful LLC*, Docket No. 9344. Complaint Counsel in the *POM* case is filing a similar consent motion today in that docket. The instant case is scheduled for an evidentiary hearing to start on May 31, 2011. The *POM* case is scheduled for an evidentiary hearing to start on May 24, 2011. Both cases may take up to four to six weeks or the full 210 hours allowed by Rule 3.41(b). Rule 3.21(f) allows for "additional prehearing and status conferences . . . as may be needed to ensure the just and expeditious disposition of the proceeding and to avoid unnecessary cost." Counsel for Respondent consents to this motion. Complaint Counsel and Respondent believe a status conference will provide clarity regarding scheduling and disposition of the two hearings slated to begin this month.

In order for all parties concerned to schedule witnesses and meet our various scheduling order deadlines, we request a scheduling conference this week, if possible. The parties propose an in-person scheduling conference on the morning of Friday, May 6, or alternatively, a telephonic scheduling conference on the afternoon of Thursday, May 5. The parties are prepared

to discuss this consent motion with the Court at its request. A proposed order is attached.

Respectfully submitted,

Dated: May 2, 2011

      /s\_ Matthew J. Reilly        
Matthew J. Reilly, Esq.  
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Sara Y. Razi, Esq.  
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Complaint Counsel

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

\_\_\_\_\_  
In the Matter of )  
)  
)

ProMedica Health System, Inc. )  
a corporation. )  
)  
)  
\_\_\_\_\_)

**Docket No. 9346**

**[Proposed] ORDER GRANTING CONSENT MOTION  
FOR JOINT SCHEDULING CONFERENCE**

On May 2, 2011, Complaint Counsel filed a consent motion requesting a Scheduling Conference. Complaint Counsel in *In the Matter of POM Wonderful LLC*, Docket No. 9344, has filed a similar request in its matter. Based upon the representations made by Complaint Counsel and the scheduling conflict in conducting the evidentiary hearings in these matters, the Consent Motion is GRANTED. It is hereby ORDERED that a Scheduling Conference be held May \_\_\_, 2011 at \_\_\_\_\_ in Room 532. Counsel for all parties are required to be present.

ORDERED:

\_\_\_\_\_  
D. Michael Chappell  
Chief Administrative Law Judge

Dated:

**STATEMENT OF PARTIES REGARDING MEET AND CONFER**

On May 2, 2011, at approximately 11:00 a.m. (Eastern), Complaint Counsel Jeanne H. Liu and Respondent's Counsel Stephen Wu agreed by telephone to a consent motion for a scheduling conference.

Respectfully submitted,

Dated: May 2, 2011

          /s\_ Matthew J. Reilly            
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Sara Y. Razi, Esq.  
Jeanne H. Liu, Esq.  
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Complaint Counsel

## CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2011, I caused to be filed and served *Consent Motion for Joint Scheduling Conference and Memorandum in Support Thereof* upon the following set forth below:

One electronic copy via the FTC E-Filing System to:

Donald S. Clark, Secretary  
Federal Trade Commission  
600 Pennsylvania Ave., N.W., Room H-159  
Washington, DC 20580

One paper copy via hand delivery and one electronic copy via email to:

The Honorable D. Michael Chappell  
Administrative Law Judge  
600 Pennsylvania Ave., N.W., Room H-106  
Washington, DC 20580  
Email: oalj@ftc.gov

One electronic copy via email to:

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