

INTERLOCUTORY, MODIFYING,
VACATING, AND MISCELLANEOUS
ORDERS

IN THE MATTER OF

**TOPS MARKETS LLC,
MORGAN STANLEY CAPITAL PARTNERS V
U.S. HOLDCO LLC,
AND
THE PENN TRAFFIC COMPANY**

Docket No. C-4295. Order, January 4, 2012

Letter approving the divestiture of the Penn Traffic Supermarket Business Assets to Moran Foods, Inc.

LETTER ORDER APPROVING DIVESTITURE OF CERTAIN ASSETS

Matthew S. Morris
The Food Partners, LLC

Re: *In the Matter of Tops Markets LLC, Morgan Stanley
Capital Partners V U.S. Holdco LLC, and The Penn
Traffic Company; File No. 101-0074, Docket No. C-4295*

Dear Mr. Morris:

This letter responds to the *Petition of Divestiture Trustee for Approval of Proposed Divestiture to Moran Foods, Inc.* ("Petition") filed by you as the Divestiture Trustee, on November 7, 2011, pursuant to the Decision and Order in this matter. In the Petition, you request that the Commission approve your proposed divestiture to Moran Foods, Inc. of the Penn Traffic Supermarket Business Assets at the following location: No. 3115, 404 West Morris Street in Bath, New York. The Petition was placed on the public record for comments until December 19, 2011, and no comments were received.

After consideration of the proposed divestiture as set forth in the Petition and supplemental documents, as well as other

Interlocutory Orders, Etc.

available information, the Commission has determined to approve the proposed divestiture. In according its approval, the Commission has relied upon the information submitted and representations made in connection with the Petition, and has assumed them to be accurate and complete.

By direction of the Commission.

Interlocutory Orders, Etc.

IN THE MATTER OF

PROMEDICA HEALTH SYSTEM, INC.

Docket No. 9346. Order, January 11, 2012

Order granting a Joint Motion for Scheduling of Oral Argument.

ORDER SCHEDULING ORAL ARGUMENT

Both the Respondent and Counsel for the Complaint have filed Appeal Briefs perfecting appeals from the Initial Decision in this matter, and on January 9, 2012, they filed a Joint Motion for Scheduling of Oral Argument. Consistent with both the Commission Rules and the request in the Joint Motion, the Commission has determined to conduct the Oral Argument in this matter on Monday, February 6, 2012, at 2 p.m. in Hearing Room 532-H of the Headquarters Building of the Federal Trade Commission, located at 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Each side will be allotted thirty minutes to present its argument. Respondent will have the opportunity to open and close the argument, and will be permitted to reserve up to five minutes for rebuttal. If either side wishes to provide the Commission with a short written or electronic compilation of material to facilitate its presentation during the Oral Argument, any such compilation may contain only public information that is already in the record of the proceeding, and copies must be filed with the Secretary of the Commission and provided to opposing counsel no later than Thursday, February 2, 2012, at 5 p.m.

By the Commission.