

Interlocutory Orders, Etc.

IN THE MATTER OF

LABMD, INC.

Docket No. 9357. Order, May 16, 2016

Order granting Complaint Counsel's unopposed Motion to correct the transcript of the Oral Argument held in this proceeding on March 8, 2016.

ORDER CORRECTING ORAL ARGUMENT TRANSCRIPT]

On May 4, 2016, Complaint Counsel filed an unopposed Motion to correct the transcript of the Oral Argument held in this proceeding on March 8, 2016. The Motion states that Complaint Counsel conferred with counsel for Respondent in a good faith effort to stipulate to the desired corrections, as prescribed by Commission Rule 3.52(i), 16 C.F.R. § 3.52(i), and that while Respondent has declined to join the Motion, Respondent agrees to the proposed corrections and will not oppose the Motion. Accordingly,

IT IS ORDERED THAT the Oral Argument Transcript be, and it hereby is, modified to adopt the two corrections requested by Complaint Counsel in the May 4 Motion, and to read as shown in the attached corrected copy.

By the Commission.

Interlocutory Orders, Etc,

IN THE MATTER OF

**THE PENN STATE HERSHEY MEDICAL
CENTER
AND
PINNACLEHEALTH SYSTEM***Docket No. 9368. Order, May 26, 2016*

Order granting a Joint Motion seeking to continue the hearing date to June 21, 2016, and all pre-hearing deadlines by 20 days.

ORDER GRANTING CONTINUANCE

The evidentiary hearing in this matter is scheduled to commence on June 1, 2016, following the grant of a prior continuance.¹ The parties now jointly request that the Commission continue the hearing date to June 21, 2016, and all pre-hearing deadlines by 20 days.

The pertinent facts are as follows. On May 9, 2016, the United States District Court for the Middle District of Pennsylvania denied the Commission's motion seeking a temporary restraining order and preliminary injunction to prevent Respondents from consummating their proposed merger until final resolution of this administrative proceeding.² On May 12, the Commission filed an emergency motion for an injunction pending appeal with the United States Court of Appeals for the Third Circuit, which was granted on May 24.

In their motion, the parties state that if, as has now occurred, the Third Circuit granted the Commission's emergency motion, the requested continuance would provide them with needed time to determine how to proceed in this administrative adjudication and whether to make any further motions before the Commission.

1 *Penn State Hershey Med. Ctr.*, Docket No. 9368, Commission Order Granting Continuance (May 12, 2016), <https://www.ftc.gov/system/files/documents/cases/160512pennstatehershey-order.pdf>.

2 Memorandum Opinion and Order, *FTC v. Penn State Hershey Med. Ctr.*, No. 1:15-cv-2362-JEJ (M.D. Pa.) (May 9, 2016).