

Interlocutory Orders, Etc.

IN THE MATTER OF

**LOUISIANA REAL ESTATE APPRAISERS
BOARD**

Docket No. 9374. Order, April 18, 2018

Order extending the time period to issue the Opinion and Order of the Commission regarding Complaint Counsel's Motion for Partial Summary Decision.

**ORDER EXTENDING TIME FOR ISSUING OPINION AND ORDER
ADDRESSING COMPLAINT COUNSEL'S MOTION FOR PARTIAL
SUMMARY DECISION DISMISSING RESPONDENT'S FOURTH
AFFIRMATIVE DEFENSE**

In order to ensure that it can give full consideration to the issues presented by Complaint Counsel's Motion for Partial Summary Decision Dismissing Respondent's Fourth Affirmative Defense, the Commission has determined, pursuant to Commission Rules 3.22(a) and 4.3(b), 16 C.F.R. §§ 3.22(a) and 4.3(b), to extend the time period for issuing an opinion and order until April 26, 2018.

IT IS SO ORDERED.

By the Commission.

Interlocutory Orders, Etc.

IN THE MATTER OF

**OTTO BOCK HEALTHCARE NORTH AMERICA,
INC.**

Docket No. 9378. Order, April 18, 2018

Opinion and Order denying Complaint Counsel's Motion to Strike Respondent's Seventh Affirmative Defense.

OPINION AND ORDER OF THE COMMISSION

By OHLHAUSEN, Acting Chairman:

On December 20, 2017, the Commission issued an administrative complaint alleging that the agreement for Otto Bock HealthCare North America, Inc. ("Otto Bock" or "Respondent") to purchase FIH Group Holdings, LLC ("Freedom") violated Section 5 of the FTC Act, and that consummation of that transaction on September 22, 2017, violated Section 7 of the Clayton Act. According to the Complaint, the agreement and consummated transaction had the effect of substantially reducing competition in the market for microprocessor-controlled prosthetic knees sold to prosthetic clinics in the United States.

In its Answer to the Complaint, *inter alia*, Respondent denied that the merger harmed consumers or competition, Am. Ans. ¶ 57,¹ and asserted affirmative defenses. Respondent's Seventh Affirmative Defense asserts [REDACTED]

¹ We use the following abbreviations for purposes of this opinion:

Compl.: Complaint

CCM: Memorandum of Law in Support of Complaint Counsel's Motion to Strike Respondent's Seventh Affirmative Defense

Am. Ans.: Amended Answer and Affirmative Defenses of Respondent Otto Bock Healthcare North America, Inc.

ROpp: Respondent's Opposition to Complaint Counsel's Motion to Strike Respondent's Seventh Affirmative Defense

Shotzbarger Decl.: Declaration of William Shotzbarger (attached to ROpp)