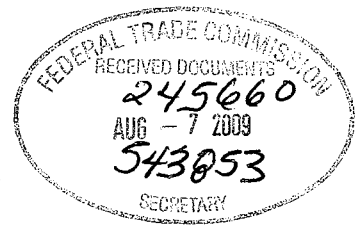


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UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

\_\_\_\_\_)  
)  
In the matter of )  
)  
Carilion Clinic )  
a corporation. )  
)  
)  
\_\_\_\_\_)

Docket No. 9338

PUBLIC

**AMENDED JOINT MOTION TO WITHDRAW MATTER FROM ADJUDICATION<sup>1</sup>**

Complaint Counsel jointly moves with Respondent, Carilion Clinic, pursuant to Rule 3.25(b) of the Commission’s Rules of Practice, to withdraw this matter from adjudication for the purpose of considering the attached proposed consent agreement. Specifically, we respectfully request that the matter be withdrawn from adjudication for 30 days, after which time the matter would revert to Part III adjudicative status unless a settlement has been approved by the Commission or an extension of such time period has been authorized by the Commission.

The proposed consent agreement contemplates a remedy that completely restores the competition that was alleged to have been eliminated by the acquisition. As a result, Complaint Counsel and Respondent agree that there now exists a “reasonable possibility of settlement,” and further move, pursuant to Rule 3.25(c) of the Commission’s Rules of Practice, that the

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<sup>1</sup> This amended motion is filed to replace the Proposed Order Granting Complaint Counsel and Respondent’s Joint Motion for Withdraw From Adjudication, filed on August 6, 2009.

Administrative Law Judge certify this motion and the proposed agreement to the Commission.

Dated: August 7, 2009

Respectfully submitted,



Matthew J. Reilly

Jeffrey H. Perry

Paul Nolan

Federal Trade Commission

601 New Jersey Avenue, N.W.

Washington, D.C. 20001

Telephone: (202) 326-2350

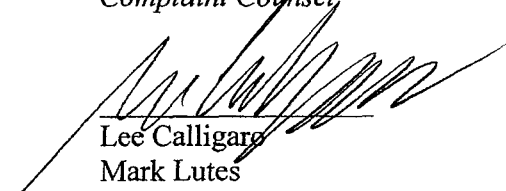
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*Counsel for Respondent Carilion Clinic*



**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

In the matter of	)	
	)	
<b>Carilion Clinic</b>	)	<b>Docket No. 9338</b>
a corporation.	)	
	)	<b>PUBLIC</b>
	)	
	)	

**[PROPOSED] ORDER GRANTING COMPLAINT COUNSEL AND RESPONDENT'S  
JOINT MOTION FOR WITHDRAWAL FROM ADJUDICATION**

Complaint Counsel and Respondent having jointly moved that this matter be withdrawn from adjudication because there is a reasonable possibility of a settlement; Respondent having proposed a consent agreement that contemplates a remedy that completely restores the competition that was alleged to have been eliminated by the acquisition, and the Commission having been satisfied that there is a likelihood of settlement of this matter in its entirety;

**IT IS ORDERED**, pursuant to Rule 3.25(d) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(d), that this matter in its entirety is hereby withdrawn from adjudication for 30 days, and absent another order by the Commission will revert to Part 3 adjudicative status after 30 days, and that all proceedings before the Administrative Law Judge are hereby stayed pending a determination by the Commission with respect to the proposed Consent Agreement, pursuant to Rule 3.25(f), 16 C.F.R. § 3.25(f); and

**IT IS FURTHER ORDERED**, pursuant to Rule 3.25(b) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(b), that the proposed Consent Agreement shall not be placed on the public record unless and until it is accepted by the Commission.

By the Commission.

Donald S. Clark  
Secretary

Issued:

**CERTIFICATE OF SERVICE**

I certify that on August 7, 2009, I filed via hand and electronic mail delivery an original and two copies of the foregoing Amended Joint Motion to Withdraw Matter From Adjudication with:

Donald S. Clark, Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580

I also certify that on August 7, 2009, I delivered via hand delivery two copies of the foregoing Amended Joint Motion to Withdraw Matter From Adjudication to:

The Honorable D. Michael Chappell  
Chief Administrative Law Judge  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580

I also certify that on August 7, 2009, I delivered via electronic mail one copy of the foregoing Amended Joint Motion to Withdraw Matter From Adjudication to:

Lee Calligaro, Esq.  
Epstein Becker & Green, P.C.  
1227 25th Street N.W.  
Washington, D.C. 20037  
[lcalligaro@ebglaw.com](mailto:lcalligaro@ebglaw.com)

By: Andrea Ryan  
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