

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

**In the Matter of**

**Illumina, Inc.,  
a corporation,**

**and**

**GRAIL, Inc.,  
a corporation.**

**Respondents.**

**DOCKET NO. 9401**

**COMPLAINT COUNSEL’S OPPOSITION TO RESPONDENTS’ REQUEST FOR  
EXPEDITED CONSIDERATION**

On October 7, 2022, just prior to the start of a holiday weekend, Respondents filed a Motion to Modify the Protective Order to allow Respondents’ European counsel and economic consultants to review confidential material that was produced by third parties in this matter. Respondents requested that the Court consider the motion on an expedited basis, leaving a short window of time during which third parties subject to the Protective Order can intervene to protect their interests. To ensure that third parties are given sufficient notice of Respondents’ motion and have an opportunity to intervene to prevent harm that may result from further disclosure of their confidential information, Complaint Counsel opposes Respondents’ request for expedited consideration. Complaint Counsel instead proposes to have the Court consider Respondents’ motion on a normal ten-day schedule under Rule 3.22(d) to allow sufficient time for third parties to intervene if necessary to protect their confidential information.

For the foregoing reasons, Complaint Counsel respectfully requests that this Court deny Respondents' request for expedited consideration.

Dated: October 13, 2022

Respectfully submitted,

*s/ Susan A. Musser*

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 13, 2022, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

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The Honorable D. Michael Chappell  
Administrative Law Judge  
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I also certify that I caused the foregoing document to be served via email to:

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