

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

10 06 2017
588392

COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman
Terrell McSweeney

In the Matter of

Sanford Health,
a corporation;

Sanford Bismarck,
a corporation;

and

Mid Dakota Clinic, P.C.,
a corporation.


Docket No. 9376

ORIGINAL

**EXPEDITED MOTION FOR A TWO-MONTH STAY OF ADMINISTRATIVE
PROCEEDINGS**

Pursuant to Rule 3.41 of the Federal Trade Commission's ("FTC" or "Commission")
Rules of Practice, Respondents Sanford Health, Sanford Bismarck (collectively "Sanford") and
Mid Dakota Clinic, P.C. ("MDC") seek for a two-month postponement of the commencement

1. the Commission's information is that proceeding is scheduled to commence on



NDAG) seeking a preliminary injunction to enjoin the transaction until completion of this administrative proceeding. Sanford and MDC stipulated to the entry of a temporary restraining

order that the proposed transaction must not be consummated "until after 11:50

pm eastern time on the fifth business day after the Court rules on the Plaintiffs' motion for a preliminary injunction." Order Adopting Stipulated TRO [Docket No. 7], *FTC v. Sanford Health*, No. 1:17-cv-00133-ARS (D.N.D.). A four-day preliminary injunction hearing is scheduled to commence on October 30 or 31, 2017, with proposed findings and conclusions of

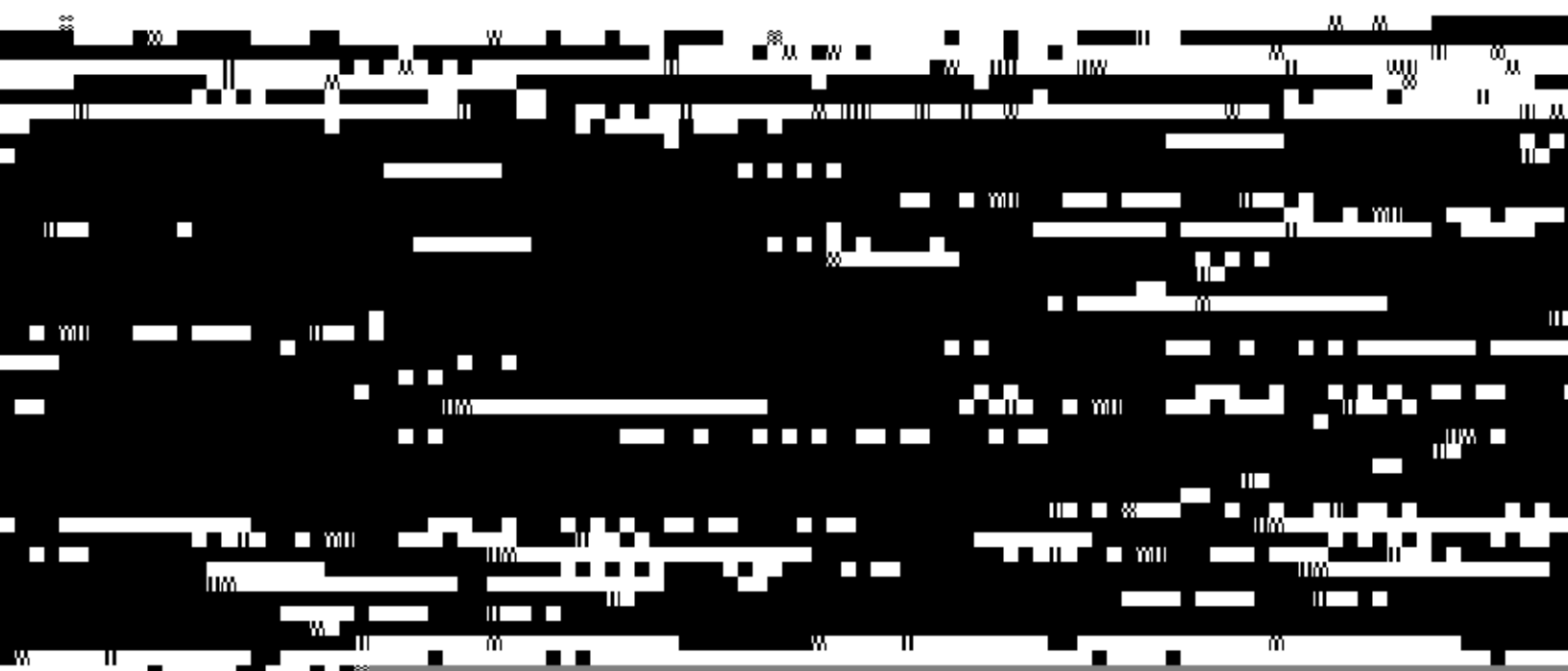
usually before the onset of appeals was sufficient way ahead of us in fact, even on an expedited basis. To be clear, while the exact direction of the causal relationship is unknown, it is

Respondents will file a motion pursuant to Rule 1.20 to withdraw the case from adjudication, or
dismiss the complaint. Rule 1.26(b)(4) Once such a motion is filed, the case will not
proceed to trial.

17.1

17.2

17.3



Dated: October 6, 2017

/s/ Robert M. Cooper

Robert M. Cooper

Richard A. Feinstein

PUBLIC

UNITED STATES OF AMERICA

BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman
Terrell McSweeney



EXHIBIT B

UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

vs.

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7. On June 22, 2017, the District Court entered a stipulated Temporary Restraining Order that prevents Sanford and MDC from closing the proposed transaction until 5 business days after the District Court rules on the Plaintiffs' motion for a preliminary injunction.

STATEMENT OF SERVICE

I certify that on October 6, 2017, I did the foregoing described electronic typing the FD-302 of the interview, which will need verification of such filing to:

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. 3413
Washington, DC 20580
dclark@ftc.gov

The Honorable S. Michael Croppell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. 3414
Washington, DC 20580

I also certify that I delivered via electronic mail a copy of the foregoing document to:

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Attorney for FIDUCIARY Federal Trade Commission

Dated: October 6, 2017

By: /s/ Hershel A. Wancjer
Hershel A. Wancjer

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy of the foregoing document sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

Dated: October 6, 2017

By: /s/ Hershel A. Wancjer
Hershel A. Wancjer

Notice of Electronic Service

I hereby certify that on October 06, 2017, I filed an electronic copy of the foregoing 2. Respondents' Expedited Motion for Two-Month Stay of Administrative Proceedings (addressed to the Commission), with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on October 06, 2017, I served via E-Service an electronic copy of the foregoing 2. Respondents' Expedited Motion for Two-Month Stay of Administrative Proceedings (addressed to the Commission), upon:

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