

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

10 06 2017

588385

ORIGINAL

In the Matter of

Sanford Health

Docket No. 9376

on the motion for a preliminary injunction in that proceeding is scheduled to commence on October 30 or 31, 2017.

If the preliminary injunction is granted and Respondents do not prevail on appeal of such injunction, Respondents will abandon the proposed transaction. And under the recent revisions to Rule 3.26, if the preliminary injunction is denied, the administrative proceeding automatically

is scheduled to commence on October 30 or 31, 2017, with proposed findings and conclusions of

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

If the motion for a brief stay is granted, then non-parties may avoid the substantial burden of reviewing voluminous documents, performing line-by-line proposed redactions of confidential

information, and preparing legal memoranda requesting in-camera treatment of those materials

in the first instance. A brief stay will also save the non-party litigants the expense of the administrative hearing. A brief stay will also save the non-party litigants the expense of the administrative hearing.

In light of the substantial burden on non-parties of reviewing voluminous documents, performing line-by-line proposed redactions of confidential information, and preparing legal memoranda requesting in-camera treatment of those materials, a temporary stay would serve non-parties substantial interests in legal fees alone.²

A brief postponement of the administrative hearing will not prejudice Complaint Counsel or the Commission. Given that the discovery has now commenced, the stay will delay and the administrative proceeding to expedite pending resolution of the preliminary injunction

administrative hearing only to suspend the proceeding following the ruling by the District Court, without prejudicing the Commission.



Dated: October 6, 2017

/s/ Robert M. Cooper

Robert M. Cooper
Richard A. Feinstein
Hershel A. Wancjer
Nicholas A. Widnell

Boies Schiøtler Flexner LLP
1401 New York Avenue, NW
Washington, DC 20005
T: (202) 237-2727
F: (202) 237-6131
rcooper@bsfllp.com
rfeinstein@bsfllp.com
hwancjer@bsfllp.com
nwidnell@bsfllp.com

Counsel to Sanford Health and Sanford Bismarck

/s/ Loren Hansen

Loren Hansen
Gregory R. Merz
Gray, Plant, Mooty, Mooty & Bennett, P.A.
500 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 632-3208
loren.hansen@gpmlaw.com
gregory.merz@gpmlaw.com

Counsel to Mid Dakota Clinic, P.C.

Accordingly, the Joint Motion is GRANTED. The Scheduling Order is hereby revised and the remaining deadlines are as follows:

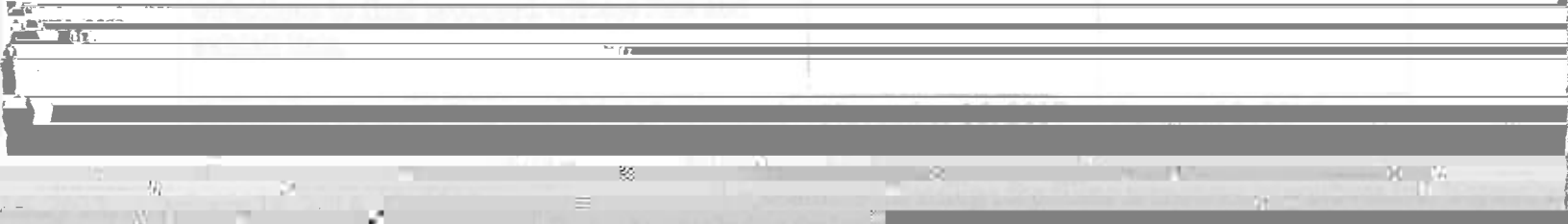
Event	Current Deadline	Proposed Deadline	
-------	------------------	-------------------	--

[Redacted Content]			
--------------------	--	--	--



PUBLIC

		ATTORNEY GENERAL	NY 2017	10 2018
--	--	------------------	---------	---------





2015-16 Budget - Department of Health and Human Services

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2015-16 Budget - Department of Health and Human Services

[REDACTED]

[REDACTED]

[REDACTED]

EXHIBIT B

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



7. On June 22, 2017, the District Court entered a stipulated Temporary Restraining Order

that enjoins State Street Bank and MDC from closing the proposed transaction until 5 business days after the District Court makes an initial preliminary injunction.

8. MDC management has affirmed its ongoing litigation with management at State Street Bank's variety of requests, including requests arising from the delay of the transaction. We have agreed that, in the event that the District Court makes a preliminary injunction in the State Street Bank and MDC suit, such an injunction would not be enforceable until the court has made a final decision on the merits of the case.

The court has a preliminary injunction is granted by the District Court and the order is

CERTIFICATE OF SERVICE

I certify that on October 6, 2017, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

The Honorable S. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

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

Thomas Dillickrath, Esq.
Kevin Hahm, Esq.
Chris Caputo, Esq.
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 Respondents' Expedited Motion for Two-Month Stay of Administrative Proceedings (addressed to Judge Chappell), with:

D. Michael Chappell
Chief Administrative Law Judge

mchill@ftc.gov
Complaint

Laura Krachman
Attorney
Federal Trade Commission
lkrachman@ftc.gov
Complaint

Rohan Pai
Attorney
Federal Trade Commission
rpai@ftc.gov
Complaint

Neal Perlman
Attorney
Federal Trade Commission
nperlman@ftc.gov
Complaint

Cathleen Williams
Attorney
Federal Trade Commission
cwilliams@ftc.gov
Complaint

Gregory Merz
Attorney
Gray Plant Mooty
gregory.merz@gpmlaw.com
Respondent

Loren Hansen
Attorney
Gray Plant Mooty
loren.hansen@gpmlaw.com
Respondent

Robert Cooper
Partner
Boies Schiller Flexner LLP
rcooper@bsflp.com
Respondent

Richard Feinstein
Partner
Boies Schiller Flexner LLP
rfeinstein@bsflp.com
Respondent

Samuel Kaplan
Partner
Boies Schiller Flexner LLP
skaplan@bsflp.com
Respondent

Hershel Wancjer
Counsel

Boies Schiller Flexner LLP
hwancjer@bsfllp.com
Respondent

Nicholas Widnell
Counsel
Boies Schiller Flexner LLP
nwidnell@bsfllp.com
Respondent

James Kraehenbuehl
Associate
Boies Schiller Flexner LLP
jkraehenbuehl@bsfllp.com
Respondent

Amarachukwu Osisoma
Associate
Boies Schiller Flexner LLP
aosisoma@bsfllp.com
Respondent

Amanda Strick
Associate
Boies Schiller Flexner LLP
AStrick@BSFLLP.com
Respondent

Sean Johnson
Associate
Boies Schiller Flexner LLP
sjohnson@bsfllp.com
Respondent

Matthew Vigeant
Associate
Boies Schiller Flexner LLP
mvigeant@bsfllp.com
Respondent

Cynthia Christian
Partner
Boies Schiller Flexner LLP
cchristian@bsfllp.com
Respondent

David Owyang
Attorney
Federal Trade Commission
dowyang@ftc.gov
Complaint

Thomas Dillickrath
Attorney
Federal Trade Commission
tdillickrath@ftc.gov
Complaint

Hershel Wancjer
Attorney