

ORIGINAL

UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION

In the Matter of)
)
Phoebe Putney Health System, Inc.,)
)
Phoebe Putney Memorial Hospital, Inc.,)
)
Phoebe North, Inc.,)
)
HCA, Inc.,)
)
Palmyra Park Hospital, Inc., and)
)
Hospital Authority of Albany-Dougherty County,)
)
Respondents.)



Docket No. 9348

NON-PARTY BLUE CROSS AND BLUE SHIELD OF GEORGIA, INC.'S NOTICE OF WITHDRAWAL OF ITS MOTION TO QUASH SUBPOENA *DUCES TECUM*

Blue Cross and Blue Shield of Georgia, Inc. ("BCBS"), a non-party to this proceeding, hereby files this notice of withdrawal of its Motion to Quash Subpoena *Duces Tecum* based on the following:

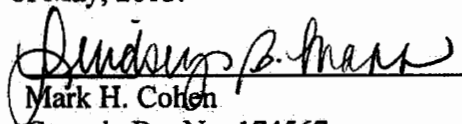
1. On April 26, 2013, Respondents Phoebe Putney Health System, Inc., Phoebe Putney Memorial Hospital, Inc., and Hospital Authority of Albany-Dougherty County (collectively referred to herein as "Respondents") served a subpoena *duces tecum* ("Respondents' Subpoena") upon BCBS.
2. On May 9, 2013, BCBS timely filed a motion to quash Respondents' Subpoena, requesting that the Administrative Law Judge quash Respondent's Subpoena in its entirety.
3. On May 21, 2013, Respondents timely filed their opposition to BCBS' motion to quash.

4. On May 22, 2013, counsel for the parties reached an agreement that resolves all disputes between the parties related to Respondents' Subpoena.

5. Counsel for Respondents consents to the withdrawal of BCBS's Motion to Quash Subpoena *Duces Tecum*.

WHEREFORE BCBS respectfully withdraws its Motion to Quash Subpoena *Duces Tecum*.

Respectfully submitted, this 23rd day of May, 2013.



Mark H. Cohen
Georgia Bar No. 174567
Lindsey B. Mann
Georgia Bar No. 431819

TROUTMAN SANDERS LLP
600 Peachtree St., N.E., Suite 5200
Atlanta, Georgia 30308
Phone: 404-885-3000
Fax: 404-885-3900

Counsel for BCBS

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of May, 2013, a true and correct copy of the foregoing *Blue Cross and Blue Shield of Georgia, Inc. 's Notice of Withdrawal of Its Motion to Quash Subpoena Duces Tecum* was filed electronically with the FTC E-Filing System and will be delivered to:

Donald S. Clark
Office of the Secretary
Federal Trade Commission
Room H113
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
dclark@ftc.gov

I further certify that on the 23rd day of May, 2013, a true and correct copy of the foregoing *Blue Cross and Blue Shield of Georgia, Inc. 's Notice of Withdrawal of Its Motion to Quash Subpoena Duces Tecum* was delivered via electronic mail and by Federal Express to the following:

The Honorable D. Michael Chappell
Chief Administrative Law Judge
Federal Trade Commission
Room H1110
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
oalj@ftc.gov

I further certify that on the 23rd day of May, 2013, a true and correct copy of the foregoing *Blue Cross and Blue Shield of Georgia, Inc. 's Notice of Withdrawal of Its Motion to Quash Subpoena Duces Tecum* was delivered via electronic mail to the following:

Maria M. DiMoscato, Esq.
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
mdimoscato@ftc.gov

Sara Y. Razi, Esq.
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
srazi@ftc.gov

Jeffrey Perry, Esq.
Assistant Director
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
jperry@ftc.gov

W. Stephen Sockwell, Esq.
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
ssockwell@ftc.gov

Emmet J. Bondurant, Esq.
bondurant@bmelaw.com
Michael A. Caplan, Esq.
caplan@bmelaw.com
Ronan P. Doherty, Esq.
doherty@bmelaw.com
Frank M. Lowrey, Esq.
lowrey@bmelaw.com
Bondurant, Mixson & Elmore, LLP
1201 West Peachtree Street, N.W.
Suite 3900
Atlanta, GA 30309

Jonathan L. Sickler, Esq.
jonathan.sickler@weil.com
James Egan, Jr., Esq.
jim.egan@weil.com
Vadim M. Brusser, Esq.
vadim.brusser@weil.com
Weil, Gotshal & Manges, LLP
1300 Eye Street, N.W.
Suite 900
Washington, D.C. 20005-3314

Lee K. Van Voorhis, Esq.
Lee.vanvoorhis@bakermckenzie.com
Katherine I. Funk, Esq.
Katherine.funk@bakermckenzie.com
Brian F. Burke, Esq.
Brian.burke@bakermckenzie.com
Jennifer J. Semko, Esq.
Jennifer.semko@bakermckenzie.com
John J. Fedele, Esq.
John.fedele@bakermckenzie.com
Teisha C. Johnson, Esq.
Teisha.johnson@bakermckenzie.com
Brian Rafkin, Esq.
Brian.rafkin@bakermckenzie.com
Jeremy W. Cline, Esq.
Jeremy.cline@bakermckenzie.com
Baker & McKenzie LLP
815 Connecticut Avenue, NW
Washington, D.C. 20006

Kevin J. Arquit, Esq.
karquit@stblaw.com
Aimee H. Goldstein, Esq.
agoldstein@stblaw.com
Jennifer Rie, Esq.
jrie@stblaw.com
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, NY 10017-3954


Lindsey B. Mah

TROUTMAN SANDERS LLP
Counsel for BCBS