

PUBLIC

documents.7 K H S D U W L H V ¶ F R X Q V H O K D Y H K D G P X O W L S O H P H H W
May 8, May 17, and May 23, 2024. H Mart is making a production of documents on May 24,
2024 To give Complaint Counsel time to review this production and for any further negotiations
that may be necessary. Complaint Counsel has represented that they will not oppose a request
H Mart to have until May 31, 2024 to move to quash or limit the Subpoena with a motion
becomes necessary.

6. Therefore, H Mart requests that this Court grant H Mart until May 2024 to file a
motion to quash or to limit the Subpoena.

7. This extension has been agreed upon in the H U W R D I I R U G + s u b d i e n t i f e F R X Q V H
to negotiate with Complaint Counsel regarding reasonable limitations and modifications of the
Subpoena to reduce the burden on H Mart of responding and thereby to potentially avoid the
necessity of filing a motion to quash or to limit the Subpoena.

Dated: May , 2024

s/ Darin Sands
BRADLEY BERNSTEIN SANDS LLP
1425 SW 20th Ave., Suite 201
Portland, Oregon 97201
dsands@bradleybernstein.com
Telephone: 503 342 480

Counsel for H Mart Companies, Inc.

PUBLIC

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

In the Matter of

The Kroger Company,

and

Albertsons Companies, Inc.,

Respondents.

Docket No. 9428

[PROPOSED] ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF
TIME FOR H MART TO FILE MOTION TO QUASH OR TO LIMIT FEDERAL

75 \$(& 200,66,21 16 68% 12 (1\$

On May 24, 2024, Non 3 DUW \ + 0 DUW & RPSDQLHV , QF 3+ 0 DUW ' requesting entry of an order further H [WHQGLQJ + 0 DUW ¶ V GHGOLQH WR ILO limit the Federal Trade & R P P L V subpoena vces tecum 3 6 X E S R H t O d including May 31, 2024 3 0 R W L R Q ´ & RPSODLQW & RXQVHO GRHV QRW R S S R V Motion.

Under FTC Rule of Practice 3.34(c), any motion to limit or quash a subpoena must be filed within 10 days of receipt of the subpoena. 16 C.F.R. § 3.34(c). Pursuant to FTC Rule 4.3(b), the Administrative Law Judge, except in circumstances not here presented, extend DQ \ W L P H O L P L W S U H V F U L E H G E \ W K H U X O H V 3 > I @ R U J R R G

Based on the representations in the Motion, H Mart has demonstrated good cause for the requested further extension. Accordingly, the Motion is GRANTED and it is hereby ORDERED W K D W + 0 D U W ¶ V G H D G O L Q H I R U I L O L Q J D Q \ P R W L R Q W R T X I 31, 2024.

Dated: _____

eblackburn@ftc.gov
pfrangie@ftc.gov
lhall1@ftc.gov
jkim3@ftc.gov
klibby@ftc.gov
eolson@ftc.gov
rpai@ftc.gov
hrothman@ftc.gov
ateng@ftc.gov
earens@ftc.gov
jhamburger1@ftc.gov
jsmith3@ftc.gov
kbies@ftc.gov
lthough@ftc.gov
kdrummonds@ftc.gov

Counsel for The Kroger Company

Michael B. Bernstein
Matthew Wolf
Sonia Pfaffenroth
Joshua Davis
Michael Kientzle
Jason Ewart
Yasmine Harik
Christina Cleveland
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Ave, NW
Washington, DC 20001
Telephone: (202) 942227
michael.b.bernstein@arnoldporter.com
matthew.wolf@arnoldporter.com
sonia.pfaffenroth@arnoldporter.com
joshua.davis@arnoldporter.com
michael.kientzle@arnoldporter.com
jason.ewart@arnoldporter.com
yasmine.harik@arnoldporter.com

John Holler
Arnold & Porter Kaye Scholer LLP
250 West 55th Street
New York, NY 10019
Telephone: (212) 836739

PUBLIC

John.holler@arnoldporter.com

Mark Perry

Luke Sullivan

Weil, Gotshal & Manges LLP

2001 M Street, NW Suite 600

Washington, DC 20036

Telephone: (202) 682511

mark.perry@weil.com

luke.sullivan@weil.com

Luna Barrington

Weil, Gotshal & Manges LLP

767 Fifth Avenue New York, NY 10153

Telephone: (212) 310421

Luna.barrington@weil.com

Bambo Obaro

Weil, Gotshal & Manges LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

Telephone: (650) 802083

bambo.obaro@weil.com

Counsel for Albertsons Companies, Inc.

Edward Hassi

Debevoise & Plimpton LLP

801 Pennsylvania Avenue, NW

Washington, DC 20004

Telephone: (202) 388135

thassi@debevoise.com

Michael Schaper

Shannon R. Selden

J. Robert Abraham

Natascha Born

Jaime FreilichFried

Marieugenia Cardenas

Tom E. Buckley

Heather T. Mehler

Marie Ventimiglia

Debevoise & Plimpton LLP

66 Hudson Boulevard

PUBLIC

New York, NY 10001

Telephone: (212) 900737
mschaper@debevoise.com
srselden@debevoise.com
jrabraham@debevoise.com
nborn@debevoise.com
jmfried@debevoise.com
mcardena@debevoise.com
tebuckley@debevoise.com
htmehler@debevoise.com
msventim@debevoise.com

Mike Cowie
James Fishkin
Dechert LLP
1900 K Street, NW
Washington, DC 20006
Telephone: (202) 263339
mike.cowie@dechert.com
james.fishkin@dechert.com

Thomas Miller
Dechert LLP
Cira Centre 2929 Arch Street
Philadelphia, PA 19104
Telephone: (215) 992906
thomas.miller@dechert.com

George L. Paul
White & Case LLP
701 13th Street, NW
Washington, DC 20005
Telephone: (202) 626656
gpaul@whitecase.com

Dated: May 24, 2024

PUBLIC

s/ Gina Elliott
Bradley Bernstein Sands LLP
3911 Harrison St., Suite 100
Oakland, CA 94611
gelliott@bradleybernstein.com
Telephone: 323-854-6543