

FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

# NOTICE OF APPEARANCE



<b>CASE NAME</b> In the Matter of The Kroger Company and Albertsons Companies, Inc.	<b>FILE/DOCKET NUMBER</b> Docket No. 9428
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Pursuant to Section 4.1 of the Commission's Rules of Practice, I (we) am (are) entering in the above proceeding the appearance of

- counsel supporting the complaint (Complete Items 1, 3, 4, and 5 below)
- counsel or representative for the respondent (Complete Items 1, 2, 4, and 5 below)
- counsel or representative for a third party (Complete Items 1, 2, 4, and 5 below)

1. COUNSEL OR REPRESENTATIVE	2. RESPONDENT(S) OR THIRD PARTY(IES)
Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding.  Max Doherty MCDERMOTT WILL & EMERY LLP 200 Clarendon Street, Floor 58 Boston, Massachusetts 02116-5021 Telephone: +1 (617) 535-4073 Facsimile: +1 (617) 535-3800 mdoherty@mwe.com	Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.  Bain & Company, Inc. 131 Dartmouth Street Boston, Massachusetts 02116 +1 (617) 572-2000

**3. ASSOCIATE/ASSISTANT DIRECTOR**

<b>4. SIGNATURE OF SENIOR COUNSEL</b> /s/ Max Doherty	<b>5. DATE SIGNED</b> 7/11/2024
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Return this form to: Federal Trade Commission  
 Room H-113  
 600 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20580

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

In the Matter of

The Kroger Company  
a corporation,

And

Albertsons Companies, Inc.  
a corporation,

Respondents

Docket No. 9428

**STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1**

In connection with the Notice of Appearance filed on July 11, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Federal Trade Commission as a member of the Bar of the State of Massachusetts (#

**PUBLIC**

**CERTIFICATE OF SERVICE AND ELECTRONIC FILING**

I hereby certify that on July 11, 2024, a true and correct copy of the foregoing document was filed electronically with the Federal Trade Commission using the Commission's E-Filing System, and a notification of such filing with a courtesy copy of the foregoing document was sent by email to:

James H. Weingarten  
Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, NW, Rm. H-113  
Washington, DC 20580  
ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell  
Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Avenue, N. W., Rm. H-110  
Washington, D.C. 20580

I also hereby certify that on July 11, 2024, I caused a true and correct PDF copy of the foregoing document to be served by email to:

Charles Dickinson  
James H. Weingarten  
Emily Blackburn  
Paul Frangie  
Laura Hall  
Janet Kim  
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Eric Olson  
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Harris Rothman  
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*Complaint Counsel*



**PUBLIC**

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*Counsel for Albertsons Companies, Inc.*

Dated: July 11, 2024  
Boston, Massachusetts

/s/ Max Doherty  
Max Doherty

*Counsel to Subpoena Recipient  
Bain & Company, Inc.*