

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

FEDERAL TRADE COMMISSION, )  
)  
Plaintiff, )  
)  
v. )  
)  
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, )  
)  
Defendants. )

CIVIL ACTION  
FILE NO. 1-11-CV-00058-WLS

**NOTICE OF FILING**

The Parties have agreed to entry of the attached proposed Order on the Federal Trade Commission’s Motion for Preliminary Injunction. The Parties stand ready to provide any additional information the Court may require.

Respectfully submitted this 3rd day of June, 2013.

Lee K. Van Voorhis  
Admitted pro hac vice  
lee.vanvoorhis@bakermckenzie.com  
Baker & McKenzie LLP  
815 Connecticut Avenue, NW  
Washington, DC 20006  
Telephone: 202-452-7000  
Facsimile: 202-452-7074

*Counsel for the Phoebe Defendants*

/s/ Frank M. Lowrey IV  
Emmet J. Bondurant  
Georgia Bar No. 066900  
Frank M. Lowrey IV  
Georgia Bar No. 410310  
Michael A. Caplan  
Georgia Bar No. 601039  
Bondurant, Mixson & Elmore LLP  
1201 W. Peachtree Street, Suite 3900  
Atlanta, Georgia 30309  
Telephone: 404-881-4100  
Facsimile: 404-881-4111

*Attorneys for Defendant Hospital  
Authority of Albany-Dougherty County*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing motion was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys of record:

Amanda Lewis

Email: [alewis1@ftc.gov](mailto:alewis1@ftc.gov)

Aimee H. Goldstein

Email: [agoldstein@stblaw.com](mailto:agoldstein@stblaw.com)

Christopher Abbott

Email: [cabbott@ftc.gov](mailto:cabbott@ftc.gov)

Charles Edward Peeler

Email: [cpeeler@fpplaw.com](mailto:cpeeler@fpplaw.com)

Douglas E. Litvack

Email: [dlitvack@ftc.gov](mailto:dlitvack@ftc.gov)

Jennifer Rie

Email: [jrie@stblaw.com](mailto:jrie@stblaw.com)

Edward D. Hassi

Email: [ehassi@ftc.gov](mailto:ehassi@ftc.gov)

Kevin J. Arquit

Email: [karquit@stblaw.com](mailto:karquit@stblaw.com)

Jeffrey H. Perry

Email: [jperry@ftc.gov](mailto:jperry@ftc.gov)

Meryl G. Rosen

Email: [mrosen@stblaw.com](mailto:mrosen@stblaw.com)

Jennifer K. Schwab

Email: [jschwab@ftc.gov](mailto:jschwab@ftc.gov)

Nicholas F. Cohen

Email: [ncohen@stblaw.com](mailto:ncohen@stblaw.com)

Joshua Smith

Email: [jsmith3@ftc.gov](mailto:jsmith3@ftc.gov)

Paul C. Gluckow

Email: [pgluckow@stblaw.com](mailto:pgluckow@stblaw.com)

Lucas Ballet

Email: [lballet@ftc.gov](mailto:lballet@ftc.gov)

Peter C. Thomas

Email: [pthomas@stblaw.com](mailto:pthomas@stblaw.com)

Mark D. Seidman

Email: [mseidman@ftc.gov](mailto:mseidman@ftc.gov)

Amy McCullough

Email: [McCullough@baudino.com](mailto:McCullough@baudino.com)

Stelios Xenakis

Email: [sxenakis@ftc.gov](mailto:sxenakis@ftc.gov)

David J. Darrell

Email: [darrell@baudino.com](mailto:darrell@baudino.com)

Maria M. DiMoscato

Email: [mdimoscato@ftc.gov](mailto:mdimoscato@ftc.gov)

Edgar Baughn Wilkin, Jr.

Email: [ewilkin@perrywalters.com](mailto:ewilkin@perrywalters.com)

Sara Y. Razi

Email: [srazi@ftc.gov](mailto:srazi@ftc.gov)

Karin A. Middleton

Email: [middleton@baudino.com](mailto:middleton@baudino.com)

Stewart R. Brown

Email: [Stewart.Brown@usdoj.gov](mailto:Stewart.Brown@usdoj.gov)

James C. Egan, Jr.

Email: [jim.egan@weil.com](mailto:jim.egan@weil.com)

Alex F. Sponseller  
Email: [asponseller@law.ga.gov](mailto:asponseller@law.ga.gov)

John Hinton Parker, Jr.  
Email: [jparker@phrd.com](mailto:jparker@phrd.com)

Isaac Byrd  
Email: [lbyrd@law.ga.gov](mailto:lbyrd@law.ga.gov)

Jonathan L. Sickler  
Email: [jonathan.sickler@weil.com](mailto:jonathan.sickler@weil.com)

Samuel Scott Olens  
Email: [agolens@law.ga.gov](mailto:agolens@law.ga.gov)

Lee Kavel Van Voorhis  
[lee.vanvoorhis@bakermckenzie.com](mailto:lee.vanvoorhis@bakermckenzie.com)

Sidney Ray Barrett, Jr.  
Email: [sibarrett@dhr.state.ga.us](mailto:sibarrett@dhr.state.ga.us)

Robert Michael Brennan  
Email: [bbrennan@phrd.com](mailto:bbrennan@phrd.com)

and a copy by United States First Class Mail to the following Non-CM/ECF Participants:

Scott Reiter  
Federal Trade Commission  
Bureau of Competition  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

W. Stephen Stockwell, Jr.  
Federal Trade Commission  
Bureau of Competition  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

Thomas H. Brock  
Federal Trade Commission  
Bureau of Competition  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

This 3<sup>rd</sup> day of June, 2013.

/s/ Frank M. Lowrey IV  
Frank M. Lowrey IV  
Georgia Bar No. 410310