

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**HACKENSACK MERIDIAN HEALTH,
INC.,**

and

**ENGLEWOOD HEALTHCARE
FOUNDATION,**

Defendants.

Civil Action No. 20-cv-18140-JMV-JBC

JOINT MOTION TO OPEN DISCOVERY

Plaintiff Federal Trade Commission (the “Commission”) and Defendants Hackensack Meridian Health, Inc. and Englewood Healthcare Foundation (together, “Defendants”) respectfully move this Court for an Order opening discovery in this matter now, subject to the limitation that no discovery request shall issue providing for a return date earlier than January 8, 2021.

During a joint status conference with the Court on December 7, 2020, the Court directed the Commission and Defendants to meet and confer to develop a proposed case management and scheduling order (“CMSO”). The Court further indicated that if it appeared that the parties would not be able to quickly reach an agreement on the terms of the proposed CMSO, the parties could move to open discovery while their negotiations continued.

The parties continue to confer on outstanding issues but believe that resolution of (or reaching impasse on) these issues is likely to require additional time. As a result, the parties agree there is good cause to open discovery now so that the parties can begin serving discovery requests without further delay.

In accordance with Local Civil Rule 37.1, counsel for the Commission discussed this motion with counsel for Defendants, and all parties agreed to move this Court jointly.

A proposed Order is attached as an exhibit to this Motion.

Dated: December 21, 2020

Respectfully Submitted,

/s/ Jonathan Lasken

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