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**U.S. District Court
District of Oregon (Portland (3))
CIVIL DOCKET FOR CASE #: 3:24-cv-00347-AN**

Federal Trade Commission et al v. Kroger Company et al
Assigned to: Judge Adrienne Nelson
Cause: 15:0045 Federal Trade Commission Act

Date Filed: 02/26/2024
Jury Demand: None
Nature of Suit: 410 Antitrust
Jurisdiction: U.S. Government Plaintiff

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Date Filed	#	Docket Text
02/26/2024	1	Complaint. (<i>fee exempt status selected</i>) Jury Trial Requested: No. Filed by Federal Trade Commission against Albertsons Companies, Inc., The Kroger Company (Attachments: # 1 Civil Cover Sheet). (Dickinson, Charles) (Entered: 02/26/2024)
02/26/2024	2	Notice of Case Assignment to Judge Adrienne Nelson and Discovery and Pretrial Scheduling Order. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. Discovery is to be completed by 6/25/2024. Joint Alternate Dispute Resolution Report is due by 7/25/2024. Pretrial Order is due by 7/25/2024. Ordered by Judge Adrienne Nelson. (ecp) (Entered: 02/26/2024)
02/26/2024	3	Motion to File Document Under Seal <i>Complaint</i> (DOCUMENT FILED UNDER SEAL). Filed by Federal Trade Commission. (Attachments: # 1 Proposed Order, # 2 Proposed Sealed Document) (Weingarten, James) (Entered: 02/26/2024)
02/26/2024	4	Unopposed Motion for Temporary Restraining Order . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A (Stipulated Temporary Restraining Order)) (Weingarten, James) (Entered: 02/26/2024)
02/27/2024	5	Notice of Appearance of Jayme L. Weber appearing on behalf of State of Arizona. Filed by on behalf of State of Arizona. (Weber, Jayme) (Entered: 02/27/2024)
02/27/2024	6	Notice of Appearance of C. William Margrabe appearing on behalf of District of Columbia. Filed by on behalf of District of Columbia. (Margrabe, C.) (Entered: 02/27/2024)
02/27/2024	7	Notice of Appearance of Lucas J Tucker appearing on behalf of State of Nevada. Filed by on behalf of State of Nevada. (Tucker, Lucas) (Entered: 02/27/2024)
02/27/2024	8	Notice of Appearance of Samantha Bilbao Feeley appearing on behalf of State of Nevada. Filed by on behalf of State of Nevada. (Feeley, Samantha) (Entered: 02/27/2024)
02/27/2024	9	Notice of Appearance of Alice Riechers appearing on behalf of State of Illinois. Filed by on behalf of State of Illinois. (Riechers, Alice) (Entered: 02/27/2024)
02/27/2024	10	Notice of Appearance of Robert Bernheim appearing on behalf of State of Arizona. Filed by on behalf of State of Arizona. (Bernheim, Robert) (Entered: 02/27/2024)
02/27/2024	11	Notice of Appearance of William Talley Young appearing on behalf of State of Wyoming. Filed by on behalf of State of Wyoming. (Young, William) (Entered: 02/27/2024)
02/27/2024	12	Notice of Attorney Withdrawal: <i>Mark Seidman</i> Filed by Federal Trade Commission. (Seidman, Mark) (Entered: 02/27/2024)
02/27/2024	13	ORDER: Plaintiff Federal Trade Commission's Unopposed Motion to Temporarily File Document Under Seal, ECF 3 , is GRANTED. Plaintiff is directed to file the attachment to the motion separately under seal. The unredacted complaint shall remain under seal until March 11, 2024. Any motion by defendants or non-parties to seal any information in the unredacted complaint beyond March 11, 2024 must be filed before that date. Signed on 2/27/2024 by Judge Adrienne Nelson. (joha) (Entered: 02/27/2024)
02/27/2024	14	ORDER: Plaintiff Federal Trade Commission's Unopposed Motion for Entry of Stipulated Temporary Restraining Order, ECF 4 , is GRANTED. Signed on 2/27/2024 by Judge Adrienne Nelson. (joha) (Entered: 02/27/2024)
02/28/2024	15	Notice of Appearance of Paul Harper appearing on behalf of State of Illinois. Filed by on behalf of State of Illinois. (Harper, Paul) (Entered: 02/28/2024)
02/28/2024	16	Notice of Appearance of Amanda Hamilton appearing on behalf of District of Columbia. Filed by on behalf of District of Columbia. (Hamilton, Amanda) (Entered: 02/28/2024)
02/28/2024	17	Notice of Appearance of Shira Hoffman appearing on behalf of State of California. Filed by on behalf of State of California. (Hoffman, Shira) (Entered: 02/28/2024)
02/28/2024	18	Notice of Appearance of Cheryl Hiemstra appearing on behalf of State of Oregon. Filed by on behalf of State of Oregon. (Hiemstra, Cheryl) (Entered: 02/28/2024)
02/28/2024	19	(DOCUMENT FILED UNDER SEAL), Complaint. (<i>fee exempt status selected</i>) Jury Trial Requested: No. Filed by Federal Trade Commission against All Defendants. (Dickinson, Charles) (Entered: 02/28/2024)
02/28/2024	20	Notice of Appearance of Tim D. Nord appearing on behalf of State of Oregon. Filed by on behalf of State of Oregon. (Nord, Tim) (Entered: 02/28/2024)

02/28/2024	21	Notice of Appearance of Christopher J. Kayser appearing on behalf of State of Oregon. Filed by on behalf of State of Oregon. (Kayser, Christopher) (Entered: 02/28/2024)
02/28/2024	22	Notice of Appearance of Tania Manners appearing on behalf of State of Oregon. Filed by on behalf of State of Oregon. (Manners, Tania) (Entered: 02/28/2024)
02/28/2024	23	Notice of Appearance of Connor Nolan appearing on behalf of State of Arizona. Filed by on behalf of State of Arizona. (Nolan, Connor) (Entered: 02/28/2024)
02/28/2024	24	Notice of Appearance of Saivignesh Venkat appearing on behalf of State of Arizona. Filed by on behalf of State of Arizona. (Venkat, Saivignesh) (Entered: 02/28/2024)
02/29/2024	25	Notice of Appearance of Schonette Walker appearing on behalf of State of Maryland. Filed by on behalf of State of Maryland. (Walker, Schonette) (Entered: 02/29/2024)
02/29/2024	26	Waiver of Service of Summons Returned Executed by Kroger Company waiver sent on 2/27/2024. Filed by Federal Trade Commission. (Dickinson, Charles) (Entered: 02/29/2024)
02/29/2024	27	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney James Andrew Fishkin. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9301495. Filed by Albertsons Companies, Inc.. (Fishkin, James) (Entered: 02/29/2024)
02/29/2024	28	Notice of Appearance of Gary Honick appearing on behalf of State of Maryland. Filed by on behalf of State of Maryland. (Honick, Gary) (Entered: 02/29/2024)
02/29/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney James Andrew Fishkin. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9301495 27 : Reviewed and Ready for Ruling. (dino) (Entered: 02/29/2024)
02/29/2024	29	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 27 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 02/29/2024)
02/29/2024	30	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael George Cowie. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9302141. Filed by Albertsons Companies, Inc.. (Cowie, Michael) (Entered: 02/29/2024)
02/29/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael George Cowie. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9302141 30 : Reviewed and Ready for Ruling. (dino) (Entered: 02/29/2024)
03/01/2024	31	Notice of Appearance of Brian Matthew Yost appearing on behalf of State of Illinois. Filed by on behalf of State of Illinois. (Yost, Brian) (Entered: 03/01/2024)
03/01/2024	32	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 30 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/01/2024)
03/01/2024	33	Notice of Appearance of B. John Casey appearing on behalf of Kroger Company. Filed by on behalf of Kroger Company. (Casey, B. John) (Entered: 03/01/2024)
03/01/2024	34	Notice of Appearance of Rachel C. Lee appearing on behalf of Kroger Company. Filed by on behalf of Kroger Company. (Lee, Rachel) (Entered: 03/01/2024)
03/01/2024	35	Notice of Appearance of Jacob C. Goldberg appearing on behalf of Kroger Company. Filed by on behalf of Kroger Company. (Goldberg, Jacob) (Entered: 03/01/2024)
03/01/2024	36	Notice of Appearance of David H. Angeli appearing on behalf of Albertsons Companies, Inc.. Filed by on behalf of Albertsons Companies, Inc.. (Angeli, David) (Entered: 03/01/2024)
03/01/2024	37	Notice of Appearance of Peter D. Hawkes appearing on behalf of Albertsons Companies, Inc.. Filed by on behalf of Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 03/01/2024)
03/01/2024	38	Notice of Appearance of Kristen L. Tranetzki appearing on behalf of Albertsons Companies, Inc.. Filed by on behalf of Albertsons Companies, Inc.. (Tranetzki, Kristen) (Entered: 03/01/2024)
03/01/2024	39	Notice of Appearance of Nicole Gordon appearing on behalf of State of California. Filed by on behalf of State of California. (Gordon, Nicole) (Entered: 03/01/2024)
03/01/2024	40	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Edward Hassi. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9303962. Filed by Albertsons Companies, Inc.. (Hassi, Edward) (Entered: 03/01/2024)

03/01/2024	41	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael Schaper. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304023. Filed by Albertsons Companies, Inc.. (Schaper, Michael) (Entered: 03/01/2024)
03/01/2024	42	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Shannon Rose Selden. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304047. Filed by Albertsons Companies, Inc.. (Selden, Shannon) (Entered: 03/01/2024)
03/01/2024	43	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Johan Robert Abraham. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304061. Filed by Albertsons Companies, Inc.. (Abraham, Johan) (Entered: 03/01/2024)
03/04/2024	44	Waiver of Service of Summons Returned Executed by Albertsons Companies, Inc. waiver sent on 2/27/2024. Filed by Federal Trade Commission. (Dickinson, Charles) (Entered: 03/04/2024)
03/04/2024	45	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Natascha Born. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304601. Filed by Albertsons Companies, Inc.. (Born, Natascha) (Entered: 03/04/2024)
03/04/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Edward Hassi. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9303962 40 : Reviewed and Ready for Ruling. (dino) (Entered: 03/04/2024)
03/04/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael Schaper. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304023 41 : Reviewed and Ready for Ruling. (dino) (Entered: 03/04/2024)
03/04/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Shannon Rose Selden. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304047 42 : Reviewed and Ready for Ruling. (dino) (Entered: 03/04/2024)
03/04/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Johan Robert Abraham. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304061 43 : Reviewed and Ready for Ruling. (dino) (Entered: 03/04/2024)
03/04/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Natascha Born. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9304601 45 : Reviewed and Ready for Ruling. (dino) (Entered: 03/04/2024)
03/04/2024	46	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kolya Glick. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9305868. Filed by Kroger Company. (Glick, Kolya) (Entered: 03/04/2024)
03/04/2024	47	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sonia Kuester Pfaffenroth. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306063. Filed by Kroger Company. (Pfaffenroth, Sonia) (Entered: 03/04/2024)
03/04/2024	48	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney John Holler. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306175. Filed by Kroger Company. (Holler, John) (Entered: 03/04/2024)
03/04/2024	49	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joshua Davis. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306215. Filed by Kroger Company. (Davis, Joshua) (Entered: 03/04/2024)
03/04/2024	50	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mark Andrew Perry. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306259. Filed by Kroger Company. (Perry, Mark) (Entered: 03/04/2024)
03/04/2024	51	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Matthew M Wolf. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306471. Filed by Kroger Company. (Wolf, Matthew) (Entered: 03/04/2024)
03/05/2024	52	A duplicate payment in the amount of \$300.00 was submitted by Kroger Company in the above-referenced case. For information on refund procedures, visit Requesting a Refund of Electronically Paid Fees on the Court's website. Refund Request is Due 3/15/2024. (nd) (Entered: 03/05/2024)
03/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kolya Glick. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9305868 46 : Reviewed and Ready for Ruling. (dino) (Entered: 03/05/2024)

03/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sonia Kuester Pfaffenroth. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306063 47 : Reviewed and Ready for Ruling. (dino) (Entered: 03/05/2024)
03/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney John Holler. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306175 48 : Reviewed and Ready for Ruling. (dino) (Entered: 03/05/2024)
03/05/2024	53	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 40 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 41 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 42 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 43 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 45 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 46 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 47 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 48 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/05/2024)
03/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joshua Davis. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306215 49 : Reviewed and Ready for Ruling. (dino) (Entered: 03/05/2024)
03/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mark Andrew Perry. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306259 50 : Reviewed and Ready for Ruling. (dino) (Entered: 03/05/2024)
03/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Matthew M Wolf. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9306471 51 : Reviewed and Ready for Ruling. (dino) (Entered: 03/05/2024)
03/05/2024	54	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 49 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 50 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 51 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/05/2024)
03/05/2024	55	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Enu Mainigi. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9307614. Filed by Albertsons Companies, Inc.. (Mainigi, Enu) (Entered: 03/05/2024)
03/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Enu Mainigi. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9307614 55 : Reviewed and Ready for Ruling. (dino) (Entered: 03/05/2024)
03/05/2024	56	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 55 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/05/2024)
03/05/2024	57	Scheduling Order. Telephone Status Conference is set for 3/11/2024 at 1:30PM-2:30PM before Judge Adrienne Nelson. Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/05/2024)
03/06/2024	58	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jonathan Bradley Pitt. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9309648. Filed by Albertsons Companies, Inc.. (Pitt, Jonathan) (Entered: 03/06/2024)
03/06/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jonathan Bradley Pitt. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9309648 58 : Reviewed and Ready for Ruling. (dino) (Entered: 03/06/2024)
03/06/2024	59	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jason Ewart. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310550. Filed by Kroger Company. (Ewart, Jason) (Entered: 03/06/2024)
03/06/2024	60	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael Kientzle, I. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310633. Filed by Kroger Company. (Kientzle, Michael) (Entered: 03/06/2024)
03/06/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jason Ewart. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310550 59 : Reviewed and Ready for Ruling. (dino) (Entered: 03/06/2024)
03/06/2024	61	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Luna Ngan Barrington. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310770. Filed by Kroger Company. (Barrington, Luna) (Entered: 03/06/2024)
03/06/2024	62	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Luke Sullivan. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310793. Filed by Kroger Company. (Sullivan, Luke) (Entered: 03/06/2024)

03/06/2024	63	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jason Kleinwaks. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310828. Filed by Kroger Company. (Kleinwaks, Jason) (Entered: 03/06/2024)
03/06/2024	64	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Adam Joshua Podoll. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9311215. Filed by Albertsons Companies, Inc.. (Podoll, Adam) (Entered: 03/06/2024)
03/06/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael Kientzle, I. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310633 60 : Reviewed and Ready for Ruling. (dino) (Entered: 03/06/2024)
03/06/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Luna Ngan Barrington. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310770 61 : Reviewed and Ready for Ruling. (dino) (Entered: 03/06/2024)
03/06/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Luke Sullivan. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310793 62 : Reviewed and Ready for Ruling. (dino) (Entered: 03/06/2024)
03/06/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jason Kleinwaks. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9310828 63 : Reviewed and Ready for Ruling. (dino) (Entered: 03/06/2024)
03/06/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Adam Joshua Podoll. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9311215 64 : Reviewed and Ready for Ruling. (dino) (Entered: 03/06/2024)
03/06/2024	65	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 58 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 59 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 60 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 61 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 62 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 63 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 64 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/06/2024)
03/07/2024	66	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sarah Sternlieb. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9312353. Filed by Kroger Company. (Sternlieb, Sarah) (Entered: 03/07/2024)
03/07/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sarah Sternlieb. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9312353 66 : Reviewed and Ready for Ruling. (dino) (Entered: 03/07/2024)
03/07/2024	67	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 66 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/07/2024)
03/10/2024	68	(FILED UNDER SEAL) , Unopposed Motion to Seal Complaint. Filed by Kroger Company. (Attachments: # 1 Exhibit A, # 2 Certificate of Service) (Casey, B. John) (Entered: 03/10/2024)
03/10/2024	69	(DOCUMENT FILED UNDER SEAL) , Declaration of Antonio Matthews in Support of The Kroger Company's Unopposed Motion to Seal Complaint. Filed by Kroger Company. (Related document(s): Order on Motion to File Document Under Seal, 13 , (FILED UNDER SEAL), Motion - Miscellaneous 68 .) (Casey, B. John) (Entered: 03/10/2024)
03/10/2024	70	Unopposed Motion to Seal Complaint. Filed by Albertsons Companies, Inc.. (Hassi, Edward) (Entered: 03/10/2024)
03/10/2024	71	Declaration of Jon-Peter Kelly in Support of Unopposed Motion to Seal Complaint. Filed by Albertsons Companies, Inc.. (Related document(s): Motion - Miscellaneous 70 .) (Attachments: # 1 Exhibit A to Declaration of Jon-Peter Kelly) (Hassi, Edward) (Entered: 03/10/2024)
03/10/2024	72	Corporate Disclosure Statement . Filed by Albertsons Companies, Inc.. (Hassi, Edward) (Entered: 03/10/2024)
03/10/2024	73	Corporate Disclosure Statement . Filed by Kroger Company. (Casey, B. John) (Entered: 03/10/2024)
03/11/2024	74	MINUTES of Proceedings: Telephonic Status Conference held. Preliminary Injunction Hearing set to begin on August 26, 2024 at 09:00AM in Portland Courtroom 14A before Judge Adrienne Nelson. The parties are directed to confer and file a proposed briefing schedule for the preliminary injunction motion by March 15, 2024. Defendants are directed to confer and file a joint proposed redacted complaint under seal by March 15, 2024. James Weingarten and Charles Dickinson present as counsel for plaintiff Federal Trade Commission. Jayme

		Weber and Robert Bernheim present as counsel for plaintiff State of Arizona. Nicole Gordon present as counsel for plaintiff State of California. Amanda Hamilton present as counsel for plaintiff District of Columbia. Paul Harper present as counsel for plaintiff State of Illinois. Byron Warren present as counsel for plaintiff State of Maryland. Attorney Warren is directed to file a notice of appearance forthwith. Samantha Bilbao Feeley present as counsel for plaintiff State of Nevada. Christopher Kayser and Tania Manners present as counsel for plaintiff State of Oregon. B. John Casey, Rachel Lee, Kolya Glick, Luna Barrington, Mark Perry, Matthew Wolf, and Sonia Pfaffenroth present as counsel for defendant Kroger Company. Kristen Tranetzki, Edward Hassi, Enu Mainigi, James Fishkin, and David Angeli present as counsel for defendant Albertsons Companies, Inc. Court Reporter: Bonita Shumway. Judge Adrienne Nelson presiding. (joha) (Entered: 03/11/2024)
03/11/2024	75	Notice of Appearance of Jeff Dan Herrera appearing on behalf of State of New Mexico. Filed by on behalf of State of New Mexico. (Herrera, Jeff) (Entered: 03/11/2024)
03/12/2024	76	Notice of Appearance of Julie Ann Meade appearing on behalf of State of New Mexico. Filed by on behalf of State of New Mexico. (Meade, Julie) (Entered: 03/12/2024)
03/13/2024	77	Notice of Appearance of Byron Warren appearing on behalf of State of Maryland. Filed by on behalf of State of Maryland. (Warren, Byron) (Entered: 03/13/2024)
03/13/2024	78	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Telephone Status Conference held on 3/11/2024 before Judge Adrienne Nelson, Court Reporter Bonita J. Shumway, telephone number (503)326-8188 or bonita_shumway@ord.uscourts.gov. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the Court Reporter or PACER. See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 3/20/2024. Redaction Request due 4/3/2024. Redacted Transcript Deadline set for 4/15/2024. Release of Transcript Restriction set for 6/11/2024. (Shumway, Bonita) (Entered: 03/13/2024)
03/13/2024	79	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Bambo Obaro. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9321075. Filed by Kroger Company. (Obaro, Bambo) (Entered: 03/13/2024)
03/13/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Bambo Obaro. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9321075 79 : Reviewed and Ready for Ruling. (dino) (Entered: 03/13/2024)
03/13/2024	80	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 79 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 03/13/2024)
03/15/2024	81	(DOCUMENT FILED UNDER SEAL) , Redaction to Status Conference,,,,, 74 <i>Defendants' Notice of Joint Proposed Redacted Complaint - Authorized to be Filed Under Seal</i> by All Defendants. Filed by All Defendants. (Attachments: # 1 Attachment A - Joint Proposed Redacted Complaint, # 2 Certificate of Service) (Casey, B. John) (Entered: 03/15/2024)
03/15/2024	82	Unopposed Motion <i>for Entry of Briefing Schedule for Preliminary Injunction</i> . Filed by Federal Trade Commission. (Attachments: # 1 Proposed Order) (Weingarten, James) (Entered: 03/15/2024)
03/18/2024	83	ORDER: Plaintiffs' Unopposed Motion for Entry of Briefing Schedule, ECF 82 , is GRANTED. The deadline for plaintiffs to file their combined opening brief in support of preliminary injunction, not to exceed 50 pages, is July 24, 2024. The deadline for defendants to file their combined opposition brief, not to exceed 50 pages, is August 9, 2024. The deadline for plaintiffs to file their combined reply brief, not to exceed 35 pages, is August 19, 2024. The Court will consider motions to modify this order in light of the schedule set at the March 20, 2024 scheduling conference in the administrative proceeding. Ordered by Judge Adrienne Nelson. (dsg) (Entered: 03/18/2024)
03/20/2024	84	Stipulation <i>Regarding Commencement of Discovery</i> by Kroger Company. Filed by Kroger Company. (Casey, B. John) (Entered: 03/20/2024)
03/21/2024	85	Notice of Appearance of Jeanine Balbach appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Balbach, Jeanine) (Entered: 03/21/2024)
04/08/2024	86	OPINION AND ORDER: Defendant Kroger Company's Unopposed Motion to Seal Complaint, ECF 68 , and Albertson's Companies, Inc.'s Unopposed Motion to Seal Complaint, ECF 70 , are GRANTED. Plaintiff Federal Trade Commission is directed to file the proposed redacted complaint, ECF 81 , Attach. A, on the public docket. The unredacted complaint, ECF 19 , shall remain under seal. Signed on 4/8/2024 by Judge Adrienne Nelson. (joha) (Entered: 04/08/2024)
04/09/2024	87	Redacted Complaint. (<i>fee exempt status selected</i>) Jury Trial Requested: No. Filed by Federal Trade Commission against Albertsons Companies, Inc., Kroger Company. (Weingarten, James) (Entered: 04/09/2024)
04/12/2024	88	CASE MANAGEMENT SCHEDULING ORDER: Pre-hearing conference set for August 23, 2024 at 9:00 a.m. in Portland Courtroom 14A. Signed by Judge Adrienne Nelson on April 12, 2024. (joha) (Entered: 04/12/2024)

04/26/2024	89	Unopposed Motion for Protective Order . Filed by Albertsons Companies, Inc.. (Attachments: # 1 Proposed Order) (Hawkes, Peter) (Entered: 04/26/2024)
04/29/2024	90	Answer to 87 Complaint <i>and Affirmative Defenses</i> Filer is subject to the requirements of Fed. R. Civ. P. 7.1. Filed by Kroger Company. (Casey, B. John) (Entered: 04/29/2024)
04/29/2024	91	Answer to 87 Complaint <i>and Affirmative Defenses</i> Filer is subject to the requirements of Fed. R. Civ. P. 7.1. Filed by Albertsons Companies, Inc.. (Tranetzki, Kristen) (Entered: 04/29/2024)
04/29/2024	97	PROTECTIVE ORDER: Granting Motion for a Protective Order 89 . Signed on 4/29/2024 by Judge Adrienne Nelson. (joha) (Entered: 04/30/2024)
04/30/2024	92	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Elena Kamenir. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9394470. Filed by Albertsons Companies, Inc.. (Kamenir, Elena) (Entered: 04/30/2024)
04/30/2024	93	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Howard M. Ullman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9394529. Filed by Albertsons Companies, Inc.. (Ullman, Howard) (Entered: 04/30/2024)
04/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Elena Kamenir. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9394470 92 : Reviewed and Ready for Ruling. (dino) (Entered: 04/30/2024)
04/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Howard M. Ullman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9394529 93 : Reviewed and Ready for Ruling. (dino) (Entered: 04/30/2024)
04/30/2024	94	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 92 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 93 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 04/30/2024)
04/30/2024	95	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Yosef Weitzman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9395218. Filed by Albertsons Companies, Inc.. (Weitzman, Yosef) (Entered: 04/30/2024)
04/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Yosef Weitzman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9395218 95 : Reviewed and Ready for Ruling. (dino) (Entered: 04/30/2024)
04/30/2024	96	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 95 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 04/30/2024)
04/30/2024	98	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Ross Ufberg, I. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9395740. Filed by Albertsons Companies, Inc.. (Ufberg, Ross) (Entered: 04/30/2024)
04/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Ross Ufberg, I. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9395740 98 : Reviewed and Ready for Ruling. (dino) (Entered: 04/30/2024)
04/30/2024	99	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 98 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 04/30/2024)
05/06/2024	100	Notice of Appearance of Barrett James Anderson appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Anderson, Barrett) (Entered: 05/06/2024)
05/06/2024	101	Notice of Appearance of Trisha Grant appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Grant, Trisha) (Entered: 05/06/2024)
05/06/2024	102	Notice of Appearance of Anjelica Sarmiento appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Sarmiento, Anjelica) (Entered: 05/06/2024)
05/06/2024	103	Notice of Appearance of Guia Dixon appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Dixon, Guia) (Entered: 05/06/2024)
05/06/2024	104	Notice of Appearance of Alexander J. Bryson appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Bryson, Alexander) (Entered: 05/06/2024)
05/06/2024	105	Notice of Appearance of Leora Tyree appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Tyree, Leora) (Entered: 05/06/2024)

05/06/2024	106	Notice of Appearance of Theodore Zang appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Zang, Theodore) (Entered: 05/06/2024)
05/08/2024	107	Notice of Attorney Withdrawal: <i>Katherine Bies</i> Filed by Federal Trade Commission. (Bies, Katherine) (Entered: 05/08/2024)
05/10/2024	108	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Thomas Fiascone. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9410173. Filed by Kroger Company. (Fiascone, Thomas) (Entered: 05/10/2024)
05/10/2024	109	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Tyler Infinger. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9410226. Filed by Albertsons Companies, Inc.. (Infinger, Tyler) (Entered: 05/10/2024)
05/10/2024	110	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Thomas W. Ryan. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9410337. Filed by Albertsons Companies, Inc.. (Ryan, Thomas) (Entered: 05/10/2024)
05/10/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Thomas Fiascone. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9410173 108 : Reviewed and Ready for Ruling. (dino) (Entered: 05/10/2024)
05/10/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Tyler Infinger. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9410226 109 : Reviewed and Ready for Ruling. (dino) (Entered: 05/10/2024)
05/10/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Thomas W. Ryan. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9410337 110 : Reviewed and Ready for Ruling. (dino) (Entered: 05/10/2024)
05/13/2024	111	Notice of Appearance of Adam Gitlin appearing on behalf of District of Columbia. Filed by on behalf of District of Columbia. (Gitlin, Adam) (Entered: 05/13/2024)
05/13/2024	112	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 108 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 109 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 110 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/13/2024)
05/13/2024	113	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Brian Condon. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9411860. Filed by Kroger Company. (dino) (Entered: 05/13/2024)
05/13/2024	114	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Matthew Shultz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9412435. Filed by Kroger Company. (Shultz, Matthew) (Entered: 05/13/2024)
05/13/2024	115	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney David B Bergman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9412603. Filed by on behalf of Kroger Company. (dino) (Entered: 05/14/2024)
05/14/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Brian Condon. Filing fee in the amount of \$300 collected; Receipt No.: 9411860 113 : Reviewed and Ready for Ruling. (dino) (Entered: 05/14/2024)
05/14/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Matthew Shultz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9412435 114 : Reviewed and Ready for Ruling. (dino) (Entered: 05/14/2024)
05/14/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney David B Bergman. Filing fee in the amount of \$300 collected; Receipt No.: 9411860 115 : Reviewed and Ready for Ruling. (dino) (Entered: 05/14/2024)
05/14/2024	116	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 113 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 114 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 115 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/14/2024)
05/14/2024	117	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Rebecca J. Sivitz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9413568. Filed by Kroger Company. (Sivitz, Rebecca) (Entered: 05/14/2024)
05/14/2024	118	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jeremy Kamras. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9413807. Filed by Kroger Company. (Kamras,

		Jeremy) (Entered: 05/14/2024)
05/14/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Rebecca J. Sivitz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9413568 117 : Reviewed and Ready for Ruling. (dino) (Entered: 05/14/2024)
05/14/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jeremy Kamras. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9413807 118 : Reviewed and Ready for Ruling. (dino) (Entered: 05/14/2024)
05/14/2024	119	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mike Walden. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9414513. Filed by Kroger Company. (Walden, Mike) (Entered: 05/14/2024)
05/14/2024	120	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Yasmine Harik. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9414648. Filed by Kroger Company. (Harik, Yasmine) (Entered: 05/14/2024)
05/14/2024	121	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Christian Schultz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9414746. Filed by Kroger Company. (Schultz, Christian) (Entered: 05/14/2024)
05/14/2024	122	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 117 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 118 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/14/2024)
05/15/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mike Walden. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9414513 119 : Reviewed and Ready for Ruling. (dino) (Entered: 05/15/2024)
05/15/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Yasmine Harik. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9414648 120 : Reviewed and Ready for Ruling. (dino) (Entered: 05/15/2024)
05/15/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Christian Schultz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9414746 121 : Reviewed and Ready for Ruling. (dino) (Entered: 05/15/2024)
05/15/2024	123	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Randy Miller. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9415557. Filed by Kroger Company. (Miller, Randy) (Entered: 05/15/2024)
05/15/2024	124	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Allison Gardner. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9415734. Filed by Kroger Company. (Gardner, Allison) (Entered: 05/15/2024)
05/15/2024	125	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 119 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 120 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 121 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/15/2024)
05/15/2024	126	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney David Emanuelson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416673. Filed by Kroger Company. (Emanuelson, David) (Entered: 05/15/2024)
05/15/2024	127	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mei-Wah Lee. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416762. Filed by Kroger Company. (Lee, Mei-Wah) (Entered: 05/15/2024)
05/15/2024	128	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Wilson Deloss Mudge. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416832. Filed by Kroger Company. (Mudge, Wilson) (Main Document 128 replaced on 5/16/2024) (cw). (Entered: 05/15/2024)
05/15/2024	129	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Barbara H. Wootton. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416865. Filed by Kroger Company. (Wootton, Barbara) (Entered: 05/15/2024)
05/16/2024	130	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney William Ashworth. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416922. Filed by Albertsons Companies, Inc.. (Ashworth, William) (Entered: 05/16/2024)

05/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Allison Gardner. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9415734 124 : Reviewed and Ready for Ruling. (dino) (Entered: 05/16/2024)
05/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney David Emanuelson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416673 126 : Reviewed and Ready for Ruling. (dino) (Entered: 05/16/2024)
05/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mei-Wah Lee. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416762 127 : Reviewed and Ready for Ruling. (dino) (Entered: 05/16/2024)
05/16/2024	131	Notice of Correction by Clerk regarding 128 Motion for Leave to Appear <i>Pro Hac Vice</i> . A Clerical error has been discovered in the case record: An incorrect PDF was attached to the entry. The following corrections were made to the record: A corrected PDF has been uploaded to replace the incorrect one. The Notice of Electronic Filing (NEF) will be regenerated to all parties. (cw) (Entered: 05/16/2024)
05/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Randy Miller. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9415557 123 : Reviewed and Ready for Ruling. (dino) (Entered: 05/16/2024)
05/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Wilson Deloss Mudge. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416832 128 : Reviewed and Ready for Ruling. (dino) (Entered: 05/16/2024)
05/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Barbara H. Wootton. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416865 129 : Reviewed and Ready for Ruling. (dino) (Entered: 05/16/2024)
05/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney William Ashworth. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9416922 130 : Reviewed and Ready for Ruling. (dino) (Entered: 05/16/2024)
05/16/2024	132	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 123 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 124 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 126 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 127 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 128 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 129 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 130 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/16/2024)
05/19/2024	133	Joint Motion to Compel <i>Defendants The Kroger Company's and Albertsons Companies, Inc.'s Motion to Compel</i> . Oral Argument requested.Expedited Hearing requested. Filed by All Defendants. (Casey, B. John) (Entered: 05/19/2024)
05/19/2024	134	Declaration of Luna N. Barrington <i>in Support of Defendants The Kroger Company's and Albertsons Companies, Inc.'s Motion to Compel</i> . Filed by All Defendants. (Related document(s): Motion to Compel 133 .) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit) (Casey, B. John) (Entered: 05/19/2024)
05/20/2024	135	Notice of Appearance of Brian Wang appearing on behalf of State of California. Filed by on behalf of State of California. (Wang, Brian) (Entered: 05/20/2024)
05/20/2024	136	Notice of Appearance of Daniel Ricardo Betancourt appearing on behalf of State of Illinois. Filed by on behalf of State of Illinois. (Betancourt, Daniel) (Entered: 05/20/2024)
05/20/2024	137	Notice of Appearance of Cole Niggeman appearing on behalf of District of Columbia. Filed by on behalf of District of Columbia. (Niggeman, Cole) (Entered: 05/20/2024)
05/20/2024	138	Notice of Appearance of Mehreen Imtiaz appearing on behalf of District of Columbia. Filed by on behalf of District of Columbia. (Imtiaz, Mehreen) (Entered: 05/20/2024)
05/20/2024	139	Motion for Extension of Time <i>to Respond to Defendants' Joint Motion to Compel</i> . Filed by State of Oregon. (Kayser, Christopher) (Entered: 05/20/2024)
05/21/2024	140	Joint Response <i>to Plaintiffs'</i> to Motion for Extension of Time <i>to Respond to Defendants' Joint Motion to Compel</i> 139 . Filed by Albertsons Companies, Inc., Kroger Company. (Casey, B. John) (Entered: 05/21/2024)
05/21/2024	141	Declaration of B.John Casey <i>In Support of Defendants The Kroger Company's and Albertsons Companies, Inc.'s Response to Plaintiffs' Motion for Extension of Time</i> . Filed by Albertsons Companies, Inc., Kroger Company. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D) (Casey, B. John) (Entered: 05/21/2024)

05/21/2024	142	ORDER: Plaintiffs' Motion for Extension of Time, ECF 139 , is GRANTED. The deadline to respond to defendants' Joint Motion to Compel, ECF 133 , is extended to May 23, 2024. Ordered by Judge Adrienne Nelson. (dsg) (Entered: 05/21/2024)
05/23/2024	143	Notice of Appearance of Ben Lovell appearing on behalf of State of New Mexico. Filed by on behalf of State of New Mexico. (Lovell, Ben) (Entered: 05/23/2024)
05/23/2024	144	Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL). Filed by Federal Trade Commission. (Attachments: # 1 Proposed Sealed Document Plaintiffs' Response to Defendants' Motion to Compel, # 2 Proposed Sealed Document UNDER SEAL - Ex. A, # 3 Proposed Order) (Weingarten, James) (Entered: 05/23/2024)
05/23/2024	145	Declaration of James H. Weingarten <i>in Support of Plaintiffs' Response to Defendants' Motion to Compel</i> . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - UNDER SEAL, # 2 Exhibit B, # 3 Exhibit C) (Weingarten, James) (Entered: 05/23/2024)
05/24/2024	146	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joseph Marshall Terry. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9427115. Filed by Albertsons Companies, Inc.. (Terry, Joseph) (Entered: 05/24/2024)
05/24/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joseph Marshall Terry. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9427115 146 : Reviewed and Ready for Ruling. (dino) (Entered: 05/24/2024)
05/24/2024	147	ORDER: Any response by defendants to plaintiffs' Motion to File Document Under Seal, ECF 144 , must be filed by May 28, 2024. Ordered by Judge Adrienne Nelson. (jpg) (Entered: 05/24/2024)
05/26/2024	148	Notice of Appearance of Estefania Yulianny Torres Paez appearing on behalf of District of Columbia. Filed by on behalf of District of Columbia. (Torres Paez, Estefania) (Entered: 05/26/2024)
05/28/2024	149	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 146 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/28/2024)
05/29/2024	150	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Beth A. Stewart. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9430333. Filed by Albertsons Companies, Inc.. (Stewart, Beth) (Entered: 05/29/2024)
05/29/2024	151	ORDER: Plaintiffs' Unopposed Motion to File Document Under Seal, ECF 144 , is GRANTED. Plaintiff Federal Trade Commission is directed to file under seal unredacted versions of Plaintiff's Response to Defendants' Motion to Compel and Exhibit A to the Declaration of James H. Weingarten by May 29, 2024. Plaintiff is further directed to file the partially redacted version of Plaintiff's Response and completely redacted version of Ex. A to the Weingarten Declaration on the public docket by May 29, 2024. Ordered by Judge Adrienne Nelson. Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/29/2024)
05/29/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Beth A. Stewart. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9430333 150 : Reviewed and Ready for Ruling. (dino) (Entered: 05/29/2024)
05/29/2024	152	(DOCUMENT FILED UNDER SEAL) , Response to Order on Motion to File Document Under Seal,, 151 , Joint Motion to Compel <i>Defendants The Kroger Company's and Albertsons Companies, Inc.'s Motion to Compel</i> 133 . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A to James H. Weingarten's Declaration - UNDER SEAL) (Weingarten, James) (Entered: 05/29/2024)
05/29/2024	153	Redaction to (FILED UNDER SEAL),, Response to Motion, 152 by Federal Trade Commission. Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A to James H. Weingarten's Declaration - REDACTED VERSION) (Weingarten, James) (Entered: 05/29/2024)
05/30/2024	154	Notice of Appearance of Habin Chung appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Chung, Habin) (Entered: 05/30/2024)
05/30/2024	155	Notice of Appearance of Ernest Eric Elmore appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Elmore, Ernest) (Entered: 05/30/2024)
05/30/2024	156	Stipulated Motion for Order <i>Governing Remote Depositions</i> . Filed by Kroger Company. (Casey, B. John) (Entered: 05/30/2024)
05/30/2024	157	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 150 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 05/30/2024)
05/31/2024	158	Notice of Appearance of Susan Musser appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Musser, Susan) (Entered: 05/31/2024)

05/31/2024	159	Notice of Appearance of Gary Mitchell London, Jr appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (London, Gary) (Entered: 05/31/2024)
05/31/2024	160	Notice of Appearance of Eric David Edmondson appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Edmondson, Eric) (Entered: 05/31/2024)
05/31/2024	161	ORDER: Defendants' Joint Motion to Compel, ECF 133 , is DENIED. IT IS SO ORDERED. Signed on 5/31/2024 by Judge Adrienne Nelson. (joha) (Entered: 05/31/2024)
06/03/2024	162	Notice of Appearance Filed by State of New Mexico. (Sakura, Julie) (Entered: 06/03/2024)
06/03/2024	163	ORDER GOVERNING REMOTE DEPOSITIONS: Granting Motion for Order Governing Remote Depositions 156 . Signed on 6/3/2024 by Judge Adrienne Nelson. (joha) (Entered: 06/03/2024)
06/03/2024	164	Notice of Appearance of Colin Herd appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Herd, Colin) (Entered: 06/03/2024)
06/03/2024	165	Notice of Appearance of Shira Alana Steinberg appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Steinberg, Shira) (Entered: 06/03/2024)
06/03/2024	166	Notice of Appearance of Crystal Liu appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Liu, Crystal) (Entered: 06/03/2024)
06/03/2024	167	Notice of Appearance of Nathan Mendelsohn appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Mendelsohn, Nathan) (Entered: 06/03/2024)
06/03/2024	168	Notice of Appearance of Lindsay Greene appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Greene, Lindsay) (Entered: 06/03/2024)
06/03/2024	169	Notice of Appearance of Keitha Clopper appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Clopper, Keitha) (Entered: 06/03/2024)
06/03/2024	170	Notice of Appearance of Jessica Drake appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Drake, Jessica) (Entered: 06/03/2024)
06/04/2024	171	Notice of Appearance of Maia Perez appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Perez, Maia) (Entered: 06/04/2024)
06/06/2024	172	Notice of Attorney Withdrawal: <i>Amanda Hamilton</i> Filed by District of Columbia. (Hamilton, Amanda) (Entered: 06/06/2024)
06/07/2024	173	Notice of Appearance of Julie Sakura appearing on behalf of State of New Mexico. Filed by on behalf of State of New Mexico. (Sakura, Julie) (Entered: 06/07/2024)
06/12/2024	174	Notice of Attorney Withdrawal: <i>Jason N. Kleinwaks</i> Filed by Kroger Company. (Kleinwaks, Jason) (Entered: 06/12/2024)
06/13/2024	175	Notice of Attorney Withdrawal: <i>James H. Weingarten</i> Filed by Federal Trade Commission. (Weingarten, James) (Entered: 06/13/2024)
06/24/2024	176	Notice of Attorney Withdrawal: <i>Shira Hoffman</i> Filed by State of California. (Hoffman, Shira) (Entered: 06/24/2024)
06/24/2024	177	Motion to Compel <i>Target Corporation to comply with subpoena.</i> (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Oral Argument requested. Filed by Albertsons Companies, Inc.. (Tranetzki, Kristen) (Entered: 06/24/2024)
06/24/2024	178	Declaration of Kristen Tranetzki . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Albertsons Companies, Inc.. (Related document(s): Motion to Compel 177 .) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit) (Tranetzki, Kristen) (Entered: 06/24/2024)
06/25/2024	180	Certificate of Service by Albertsons Companies, Inc. (Attachments: # 1 Attachment Service Email) Filed by Albertsons Companies, Inc.. (Tranetzki, Kristen) (Main Document 180 replaced on 6/26/2024) (cw). (Entered: 06/25/2024)
06/26/2024	182	Notice of Correction by Clerk regarding 180 Certificate of Service. A Clerical error has been discovered in the case record: The filing was missing a case caption cover page. The following corrections were made to the record: A corrected PDF has been uploaded to replace the incorrect one. The Notice of Electronic Filing (NEF) will be regenerated to all parties. (cw) (Entered: 06/26/2024)
06/26/2024	183	Certificate of Service by Albertsons Companies, Inc. Filed by Albertsons Companies, Inc.. (Tranetzki, Kristen) (Entered: 06/26/2024)

06/26/2024	185	Certificate of Service by Albertsons Companies, Inc. Filed by Albertsons Companies, Inc.. (Tranetzki, Kristen) (Entered: 06/26/2024)
06/28/2024	186	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Gina Tonn. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9474708. Filed by Target Corporation. (Tonn, Gina) (Entered: 06/28/2024)
06/28/2024	187	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Faris A. Rashid. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9474804. Filed by Target Corporation. (Rashid, Faris) (Entered: 06/28/2024)
06/28/2024	188	Response in Opposition to Motion to Compel <i>Target Corporation to comply with subpoena 177</i> . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Target Corporation. (Tuthill-Kveton, Sarah) (Entered: 06/28/2024)
06/28/2024	189	Declaration of Faris A. Rashid <i>ISO Opposition to Motion to Compel</i> . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Target Corporation. (Related document(s): Response in Opposition to Motion 188 .) (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E) (Tuthill-Kveton, Sarah) (Entered: 06/28/2024)
06/28/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Gina Tonn. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9474708 186 : Reviewed and Ready for Ruling. (dino) (Entered: 06/28/2024)
06/28/2024	190	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 186 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 06/28/2024)
06/28/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Faris A. Rashid. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9474804 187 : Reviewed and Ready for Ruling. (dino) (Entered: 06/28/2024)
06/28/2024	191	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 187 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 06/28/2024)
07/05/2024	193	Reply to Motion to Compel <i>Target Corporation to comply with subpoena 177</i> Oral Argument requested. (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 07/05/2024)
07/05/2024	194	Supplemental Declaration of Kristen Tranetzki . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Albertsons Companies, Inc.. (Related document(s): Motion to Compel 177 .) (Attachments: # 1 Exhibit 1) (Hawkes, Peter) (Entered: 07/05/2024)
07/12/2024	195	ORDER: Defendant Albertsons Companies, Inc.'s Motion to Compel, ECF 177 , is GRANTED. Nonparty Target Corporation, Inc., must produce a witness for a deposition on topics three, four, and five of defendant Albertsons Companies, Inc.'s subpoena no later than fourteen days after this order. Signed on 7/12/24 by Judge Adrienne Nelson. (joha) Modified to add signature date to docket text on 7/18/2024 (joha). (Entered: 07/12/2024)
07/21/2024	196	Joint Motion for Extension of Time <i>Regarding Memoranda of Law in Support of and in Opposition to Plaintiffs Preliminary Injunction Motion</i> . Filed by Federal Trade Commission. (Attachments: # 1 Declaration of Susan A. Musser, # 2 Proposed Order) (Musser, Susan) (Entered: 07/21/2024)
07/22/2024	197	ORDER: GRANTING Joint Motion for Extension of Time, ECF 196 . Signed on July 22, 2024 by Judge Adrienne Nelson. (joha) (Entered: 07/22/2024)
07/22/2024	198	Stipulation and Order Governing Expert Tutorial by Federal Trade Commission. Filed by Federal Trade Commission. (Anderson, Barrett) (Entered: 07/22/2024)
07/23/2024	199	STIPULATION AND ORDER GOVERNING EXPERT TUTORIAL. Signed on 7/23/2024 by Judge Adrienne Nelson. (joha) (Entered: 07/23/2024)
07/26/2024	200	MINUTES of Proceedings: Economics tutorial presented by the parties. Emily Blackburn, Susan Musser, and Barrett Anderson present as counsel for plaintiff Federal Trade Commission. Tania Manners, Chris Kayser, Cheryl Hiemstra, and Tim Nord present as counsel for plaintiff State of Oregon. Matthew Wolf, Sonia Pfaffenroth, Jay Ewart, Bambo Obaro, B. John Casey, and Christine Wheatley present as counsel for defendant Kroger Company. Enu Mainigi, David Angeli, Jonathan Pitt, Josh Podoll and Mike Cowie present as counsel for defendant Albertsons Companies, Inc. Court Reporter: Bonita Shumway. Judge Adrienne Nelson presiding. (joha) (Entered: 07/26/2024)
07/26/2024	201	Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) . Filed by Federal Trade Commission. (Attachments: # 1 Proposed Sealed Document Plaintiffs Memorandum of Law in Support of Plaintiffs Preliminary Injunction Motion_UNDER SEAL, # 2 Proposed Sealed Document Exhibits DX0952 -

		PX1641_UNDER SEAL, # 3 Proposed Sealed Document Exhibits PX1654 - PX2615_UNDER SEAL, # 4 Proposed Sealed Document Exhibits PX2616 - PX3956_UNDER SEAL, # 5 Proposed Sealed Document Exhibits PX4010 - PX5019_UNDER SEAL, # 6 Proposed Sealed Document Exhibits PX7002 - PX12686_UNDER SEAL, # 7 Proposed Order) (Musser, Susan) (Entered: 07/26/2024)
07/26/2024	202	Declaration of Susan A. Musser <i>in Support of Memorandum of Law in Support of Plaintiffs' Preliminary Injunction Motion</i> . Filed by Federal Trade Commission. (Related document(s): Motion to File Document Under Seal,, 201 .) (Attachments: # 1 Index of Exhibits Filed UNDER SEAL, # 2 Exhibit PX6001 - PX6681_PUBLIC) (Musser, Susan) (Entered: 07/26/2024)
07/29/2024	203	ORDER: Granting Motion to File Document Under Seal 201 . Filer is ordered to file the attachment(s) to the Motion to File Document Under Seal. Signed on 7/29/2024 by Judge Adrienne Nelson. (joha) (Entered: 07/29/2024)
07/30/2024	204	(DOCUMENT FILED UNDER SEAL) , Memorandum in Support of <i>Plaintiffs' Preliminary Injunction Motion</i> . Filed by Federal Trade Commission. (Related document(s): Order on Motion to File Document Under Seal 203 .) (Attachments: # 1 Exhibit DX0952 - PX1641_UNDER SEAL, # 2 Exhibit PX1654 - PX2615_UNDER SEAL, # 3 Exhibit PX2616 - PX3956_UNDER SEAL, # 4 Exhibit PX4010 - PX5019_UNDER SEAL, # 5 Exhibit PX7002 - PX12686_UNDER SEAL) (Musser, Susan) (Entered: 07/30/2024)
07/30/2024	205	Redaction to (FILED UNDER SEAL),, Memorandum in Support, 204 by Federal Trade Commission. Filed by Federal Trade Commission. (Attachments: # 1 Index of Exhibits Filed UNDER SEAL, # 2 Exhibit PX6001 - PX6681_PUBLIC) (Musser, Susan) (Entered: 07/30/2024)
08/01/2024	206	Notice of Attorney Withdrawal: Filed by Albertsons Companies, Inc.. (Tranetzki, Kristen) (Entered: 08/01/2024)
08/01/2024	207	Scheduling Order. Telephone Status Conference is set for 8/7/2024 at 09:00AM-10:00AM before Judge Adrienne Nelson. Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/01/2024)
08/02/2024	208	Motion to Strike <i>Untimely and Improper Reports of Dr. Mark Israel</i> . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A, # 2 Exhibit B_REDACTED, # 3 Exhibit C, # 4 Exhibit D_REDACTED, # 5 Exhibit E_REDACTED, # 6 Exhibit F_REDACTED, # 7 Exhibit G, # 8 Proposed Order) (Musser, Susan) (Entered: 08/02/2024)
08/02/2024	209	Declaration of Rohan Pai . Filed by Federal Trade Commission. (Related document(s): Motion to Strike, 208 .) (Attachments: # 1 Exhibit A, # 2 Exhibit B_REDACTED, # 3 Exhibit C, # 4 Exhibit D_REDACTED, # 5 Exhibit E_REDACTED, # 6 Exhibit F_REDACTED, # 7 Exhibit G) (Pai, Rohan) (Entered: 08/02/2024)
08/02/2024	210	Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) . Filed by Federal Trade Commission. (Attachments: # 1 Proposed Sealed Document Exhibit B to Plaintiffs' Motion to Strike Untimely and Improper Reports of Dr. Mark Israel_UNDER SEAL, # 2 Proposed Sealed Document Exhibit D to Plaintiffs' Motion to Strike Untimely and Improper Reports of Dr. Mark Israel_UNDER SEAL, # 3 Proposed Sealed Document Exhibit E to Plaintiffs' Motion to Strike Untimely and Improper Reports of Dr. Mark Israel_UNDER SEAL, # 4 Proposed Sealed Document Exhibit F to Plaintiffs' Motion to Strike Untimely and Improper Reports of Dr. Mark Israel_UNDER SEAL, # 5 Proposed Order) (Musser, Susan) (Entered: 08/02/2024)
08/02/2024	211	Transcript Designation and Order Form for the hearing held on 7/26/24 before Judge Adrienne Nelson. Court Reporter: Bonita Shumway. . Filed by Albertsons Companies, Inc.. (Angeli, David) (Entered: 08/02/2024)
08/02/2024	212	Unopposed Motion to Appear as Amicus Curiae . Filed by 28 Members of Congress. (Attachments: # 1 Proposed Document Proposed Amicus Brief) (Dahab, Nadia) (Entered: 08/02/2024)
08/05/2024	213	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Amanda Gale Lewis. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9518064. Filed by 28 Members of Congress. (Lewis, Amanda) (Entered: 08/05/2024)
08/05/2024	214	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Christian Hudson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9518065. Filed by 28 Members of Congress. (Hudson, Christian) (Entered: 08/05/2024)
08/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Amanda Gale Lewis. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9518064 213 : Reviewed and Ready for Ruling. (dino) (Entered: 08/05/2024)
08/05/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Christian Hudson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9518065 214 : Reviewed and Ready for Ruling. (dino) (Entered: 08/05/2024)
08/05/2024	215	Transcript Designation and Order Form for the hearing held on July 26, 2024 before Judge Hon. Adrienne Nelson. Court Reporter: Bonita Shumway. . Filed by Kroger Company. (Goldberg, Jacob) (Entered: 08/05/2024)

08/05/2024	216	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 213 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 214 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/05/2024)
08/05/2024	217	Response in Opposition to Motion to Strike <i>Untimely and Improper Reports of Dr. Mark Israel</i> 208 . Filed by Kroger Company. (Casey, B. John) Modified on 8/6/2024 to correct restriction level per counsel's request. (ecp). (Entered: 08/05/2024)
08/05/2024	218	Declaration of Sonia Pfaffenroth <i>in Support of Defendants' Opposition to Motion to Strike</i> . Filed by Kroger Company. (Related document(s): Response in Opposition to Motion 217 .) (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8) (Casey, B. John) Modified on 8/6/2024 to correct restriction level per counsel's request. (ecp). (Entered: 08/05/2024)
08/05/2024	219	Notice re Order on motion for protective order 97 and to Seal Opposition to Motion to Strike and certain exhibits in support of Filed by Kroger Company. (Related document(s): Order on motion for protective order 97 .) (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) (Attachments: # 1 Proposed Sealed Document Defendants' Opposition to Motion to Strike, # 2 Proposed Sealed Document Exhibit 1, # 3 Proposed Sealed Document Exhibit 2, # 4 Proposed Sealed Document Exhibit 3, # 5 Proposed Sealed Document Exhibit 4, # 6 Proposed Sealed Document Exhibit 5, # 7 Proposed Sealed Document Exhibit 6, # 8 Proposed Sealed Document Exhibit 7, # 9 Proposed Sealed Document Exhibit 8) (Casey, B. John) (Entered: 08/05/2024)
08/06/2024	220	Proposed Form of Order Submitted <i>Denying Plaintiff's Motion to Strike</i> . Filed by Kroger Company. (Casey, B. John) (Entered: 08/06/2024)
08/06/2024	221	ORDER: Upon consideration of Plaintiffs' Motion to File Under Seal Certain Exhibits Accompanying Plaintiffs' Motion to Strike Untimely And Improper Reports of Dr. Mark Israel, it is hereby ORDERED that the Motion to Seal is GRANTED; FURTHER ORDERED that Plaintiff Federal Trade Commission is directed to file under seal Plaintiffs' Exhibits B, D, E, and F. Signed on 8/6/2024 by Judge Adrienne Nelson. (joha) (Entered: 08/06/2024)
08/06/2024	222	ORDER: Granting Motion to Appear as Amicus Curiae 212 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/06/2024)
08/06/2024	223	(DOCUMENT FILED UNDER SEAL) , Exhibits <i>B, D, E, F</i> re Motion to Strike <i>Untimely and Improper Reports of Dr. Mark Israel</i> 208 . Filed by Federal Trade Commission. (Musser, Susan) (Main Document 223 replaced on 8/8/2024, to add case caption cover page) (cw). (Entered: 08/06/2024)
08/06/2024	224	Joint Status Report <i>Regarding Stipulations and Issues for Status Conference</i> . Filed by Federal Trade Commission. (Musser, Susan) (Entered: 08/06/2024)
08/07/2024	225	Notice of Attorney Withdrawal: <i>Tania Manners</i> Filed by State of Oregon. (Manners, Tania) (Entered: 08/07/2024)
08/07/2024	226	MINUTES of Proceedings: Status Conference held. The parties discussed the Joint Status Report, ECF 224 . The parties are directed to submit a proposed order containing the stipulations approved by the Court by August 9, 2024. Any joint proposal or separate position statements regarding the sealing of evidentiary hearing exhibits or the courtroom must be filed by 5:00 p.m. Pacific Time on August 9, 2024. A joint proposal regarding post-trial briefs must be filed by 5:00 p.m. Pacific Time on August 9, 2024. Defendants must identify one officer or employee per defendant that will serve as representatives at counsel table by 5:00 p.m. Pacific Time on August 16. Additional briefing of no more than ten pages on the issue of whether the full record submitted in the administrative proceeding should be considered in the scope of the hearing record for purposes of the post-hearing proposed findings of fact and conclusions of law must be submitted by 5:00 p.m. Pacific Time on August 16. Susan Musser, Emily Blackburn, Charles Dickinson, Rohan Pai, and Laura Hall present as counsel for plaintiff Federal Trade Commission. Jayme Weber present as counsel for plaintiff State of Arizona. William Margrave present as counsel for plaintiff District of Columbia. Brian Yost and Paul Harper present as counsel for plaintiff State of Illinois. Byran Warren and Schonette Walker present as counsel for plaintiff State of Maryland. Lucas Tucker present as counsel for plaintiff State of Nevada. Jeff Herrera, Ben Lovell, and Julie Sakura present as counsel for plaintiff State of New Mexico. Christopher Kayser and Cheryl Hiemstra as counsel for plaintiff State of Oregon. William Young present as counsel for State of Wyoming. Matthew Wolf, Bambo Obaro, Sonia Pfaffenroth, Luna Barrington, and John Casey present as counsel for defendant Kroger Company. Enu Mainigi, Joshua Podoll, Jonathan Pitt, Beth Stewart, and David Angeli present as counsel for defendant Albertsons Companies, Inc. Court Reporter: Bonita Shumway. Judge Adrienne Nelson presiding. (joha) (Entered: 08/07/2024)
08/09/2024	227	Notice of Attorney Withdrawal: <i>Anjelica Sarmiento</i> Filed by Federal Trade Commission. (Sarmiento, Anjelica) (Entered: 08/09/2024)
08/09/2024	228	Joint Proposed Pretrial Order Lodged . Filed by Federal Trade Commission. (Musser, Susan) (Entered: 08/09/2024)

08/09/2024	229	Brief <i>Regarding Plaintiffs' Position on Sealing Evidentiary Hearing Exhibits</i> . Filed by Federal Trade Commission. (Related document(s): Status Conference,,,,,,,,, 226 .) (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Proposed Order) (Musser, Susan) (Entered: 08/09/2024)
08/09/2024	230	Proposed Form of Order Submitted <i>Defendants' Draft Confidentiality Protocol</i> . Filed by All Defendants. (Attachments: # 1 Defendants' Position on Confidentiality Protocol) (Goldberg, Jacob) (Main Document 230 replaced on 8/12/2024) (cw). (Entered: 08/09/2024)
08/11/2024	231	Corrected Proposed Form of Order Submitted - <i>Defendants' Corrected Draft Confidentiality Protocol</i> . Filed by All Defendants. (Attachments: # 1 Defendants' Position on Confidentiality Protocol) (Obaro, Bambo) (Attachment 1 replaced on 8/12/2024) (cw). (Main Document 231 replaced on 8/12/2024) (cw). (Entered: 08/11/2024)
08/12/2024	232	Notice of Correction by Clerk regarding 231 Proposed Form of Order or Judgment. A Clerical error has been discovered in the case record: The filing was missing a case caption cover page. The following corrections were made to the record: A corrected PDF has been uploaded to replace the incorrect one. The Notice of Electronic Filing (NEF) will be regenerated to all parties. (cw) (Entered: 08/12/2024)
08/12/2024	233	Notice <i>Defendants' Notice of Filing Under Seal Unredacted Version of Defendants' Response to Plaintiffs' Motion for a Preliminary Injunction and Accompanying Exhibits</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/12/2024)
08/12/2024	234	Response in Opposition <i>Defendants The Kroger Company's and Albertsons Companies, Inc.'s Response to Plaintiffs' Motion for a Preliminary Injunction to Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) 201 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER)</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/12/2024)
08/12/2024	235	Declaration of Sonia K. Pfaffenroth <i>in Support of Defendants' Response to Plaintiffs' Motion for a Preliminary Injunction. (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER)</i> Filed by Kroger Company. (Related document(s): Response in Opposition to Motion, 234 .) (Attachments: # 1 Exhibit DX 0090-0943, # 2 Exhibit DX 0953-1984, # 3 Exhibit DX 1988-2344, # 4 Exhibit DX 2357-2738, # 5 Exhibit DX 2739 - 1 of 3, # 6 Exhibit DX 2739 - 2 of 3, # 7 Exhibit Dx 2739 - 3 of 3, # 8 Exhibit 2740-2838, # 9 Exhibit PX2412-7006, # 10 Exhibit Exhibits A-C) (Casey, B. John) (Entered: 08/12/2024)
08/12/2024	236	Response in Opposition <i>Defendants The Kroger Company's and Albertsons Companies, Inc.'s Response to Plaintiffs' Motion for a Preliminary Injunction to Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) 201 .</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/12/2024)
08/12/2024	237	Declaration of Sonia K. Pfaffenroth <i>in Support of Defendants' Response to Plaintiffs' Motion for a Preliminary Injunction</i> . Filed by Kroger Company. (Related document(s): Response in Opposition to Motion, 236 .) (Attachments: # 1 Exhibit DX 0090-2838, # 2 Exhibit PX2412-7006, # 3 Exhibit Exhibits A-C) (Casey, B. John) (Entered: 08/12/2024)
08/13/2024	238	Notice of Appearance of Daniel John Matheson appearing on behalf of Federal Trade Commission. Filed by on behalf of Federal Trade Commission. (Matheson, Daniel) (Entered: 08/13/2024)
08/14/2024	239	Unopposed Motion to Appear as Amicus Curiae . Filed by State of Ohio. (Attachments: # 1 Exhibit Proposed Brief) (Collin, Thomas) (Entered: 08/14/2024)
08/14/2024	240	Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) . Filed by Federal Trade Commission. (Attachments: # 1 Proposed Order Regarding Plaintiffs' Motion to Seal, # 2 Proposed Sealed Document Plaintiffs' Motion in Limine for an Adverse Inference, # 3 Proposed Sealed Document Exhibits A - F to Plaintiffs' Motion in Limine for an Adverse Inference, # 4 Proposed Sealed Document Exhibits H - V to Plaintiffs' Motion in Limine for an Adverse Inference, # 5 Proposed Order Regarding Plaintiffs' Motion in Limine for an Adverse Inference, # 6 Proposed Sealed Document Plaintiffs' Motion in Limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture, # 7 Proposed Sealed Document Appendix A to Plaintiffs' Motion in Limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture, # 8 Proposed Sealed Document Exhibits B, D, E, H, J-V to Plaintiffs' Motion in Limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture, # 9 Proposed Order Regarding Plaintiffs' Motion in Limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture, # 10 Proposed Sealed Document Plaintiffs' Motion in Limine to Exclude Expert Testimony of G. Roger King, # 11 Proposed Sealed Document Exhibits A - H to Plaintiffs' Motion in Limine to Exclude Expert Testimony of G. Roger King, # 12 Proposed Order Regarding Plaintiffs' Motion in Limine to Exclude Expert Testimony of G. Roger King) (Musser, Susan) (Entered: 08/14/2024)
08/14/2024	241	Notice <i>Defendants' Notice of Filing Under Seal Certain Parts of Their Motion to Partially Exclude the Expert Testimony of Nicholas Hill and Certain Accompanying Exhibits</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/14/2024)

08/14/2024	242	Motion <i>Defendants' Motion to Partially Exclude the Testimony of Dr. Nicholas Hill. (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER)</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	243	Declaration of Sonia K. Pfaffenroth <i>in Support of Defendants' Motion to Partially Exclude the Expert Testimony of Nicholas Hill. (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER)</i> Filed by Kroger Company. (Related document(s): Motion - Miscellaneous 242 .) (Attachments: # 1 Exhibit 1 - Hill Expert Report excerpts, # 2 Exhibit 2 - Hill Expert Rebuttal Report excerpts, # 3 Exhibit 3 - Galante Expert Report excerpts) (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	244	Redacted Motion <i>Defendants' Motion to Partially Exclude the Testimony of Dr. Nicholas Hill.</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	245	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Motion in Limine for an Adverse Inference.</i> Filed by Federal Trade Commission. (Related document(s): Motion to File Document Under Seal,,,,, 240 .) (Attachments: # 1 Exhibit A - V_PUBLIC) (Musser, Susan) (Entered: 08/14/2024)
08/14/2024	246	Unopposed Motion to File Document Under Seal Plaintiffs' Motion in Limine to Exclude Evidence Made for Litigation (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by District of Columbia. (Attachments: # 1 Proposed Sealed Document Plaintiffs' Motion in Limine to Exclude Evidence Made for Litigation, # 2 Proposed Sealed Document Torres Paez Dec. Ex. A_UNDER SEAL, # 3 Proposed Sealed Document Torres Paez Dec. Ex. B_UNDER SEAL, # 4 Proposed Sealed Document Torres Paez Dec. Ex. C_UNDER SEAL, # 5 Proposed Sealed Document Torres Paez Dec. Ex. D_UNDER SEAL, # 6 Proposed Sealed Document Torres Paez Dec. Ex. E_UNDER SEAL, # 7 Proposed Sealed Document Torres Paez Dec. Ex. F_UNDER SEAL, # 8 Proposed Sealed Document Torres Paez Dec. Ex. G_UNDER SEAL, # 9 Proposed Sealed Document Torres Paez Dec. Ex. H_UNDER SEAL, # 10 Proposed Sealed Document Torres Paez Dec. Ex. I_UNDER SEAL, # 11 Proposed Sealed Document Torres Paez Dec. Ex. J_UNDER SEAL, # 12 Proposed Sealed Document Torres Paez Dec. Ex. K_UNDER SEAL, # 13 Proposed Sealed Document Torres Paez Dec. Ex. L_UNDER SEAL, # 14 Proposed Sealed Document Torres Paez Dec. Ex. M_UNDER SEAL, # 15 Proposed Sealed Document Torres Paez Dec. Ex. N_UNDER SEAL, # 16 Proposed Sealed Document Torres Paez Dec. Ex. O_UNDER SEAL, # 17 Proposed Sealed Document Torres Paez Dec. Ex. P_UNDER SEAL, # 18 Proposed Sealed Document Torres Paez Dec. Ex. Q_UNDER SEAL, # 19 Proposed Sealed Document Torres Paez Dec. Ex. R_UNDER SEAL, # 20 Proposed Sealed Document Torres Paez Dec. Ex. S_UNDER SEAL, # 21 Proposed Sealed Document Torres Paez Dec. Ex. T_UNDER SEAL, # 22 Proposed Sealed Document Torres Paez Dec. Ex. U_UNDER SEAL, # 23 Proposed Sealed Document Torres Paez Dec. Ex. V_UNDER SEAL, # 24 Proposed Sealed Document Torres Paez Dec. Ex. W_UNDER SEAL, # 25 Proposed Sealed Document Torres Paez Dec. Ex. X_UNDER SEAL, # 26 Proposed Order Proposed Order for Motion to Seal Plaintiffs' Motion in Limine) (Torres Paez, Estefania) (Entered: 08/14/2024)
08/14/2024	247	Redacted Declaration of Sonia K. Pfaffenroth <i>in Support of Defendants' Motion to Partially Exclude the Expert Testimony of Nicholas Hill.</i> Filed by Kroger Company. (Related document(s): Motion - Miscellaneous 244 .) (Attachments: # 1 Exhibit 1 - Hill Expert Report excerpts, # 2 Exhibit 2 - Hill Expert Rebuttal Report excerpts, # 3 Exhibit 3 - Galante Expert Report excerpts) (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	248	Notice <i>Defendants' Notice of Filing Under Seal Certain Parts of Their Motion to Partially Exclude the Expert Testimony of Aaron Yeater and Accompanying Declaration and Exhibits</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	249	Motion <i>Defendants' Motion to Partially Exclude the Expert Testimony of Aaron Yeater. (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER)</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	250	Declaration of Sonia Pfaffenroth <i>in Support of Defendants' Motion to Partially Exclude the Expert Testimony of Aaron Yeater. (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER)</i> Filed by Kroger Company. (Related document(s): Motion - Miscellaneous 249 .) (Attachments: # 1 Exhibit 1 - Gokhale Expert Report, # 2 Exhibit 2 - Yeater Expert Report, # 3 Exhibit 3 - Yeater Expert Rebuttal Report, # 4 Exhibit 4 - Yeater Deposition Excerpts) (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	251	Redacted Motion <i>Defendants' Motion to Partially Exclude the Expert Testimony of Aaron Yeater.</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/14/2024)
08/14/2024	252	Redacted Declaration of Sonia Pfaffenroth <i>in Support of Defendants' Motion to Partially Exclude the Expert Testimony of Aaron Yeater.</i> Filed by Kroger Company. (Related document(s): Motion - Miscellaneous 251 .) (Attachments: # 1 Exhibit 1 - Gokhale Expert Report, # 2 Exhibit 2 - Yeater Expert Report, # 3 Exhibit 3 - Yeater Expert Rebuttal Report, # 4 Exhibit 4 - Yeater Deposition Transcript excerpts) (Casey, B. John) (Entered: 08/14/2024)

08/14/2024	253	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Motion in Limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture</i> . Filed by Federal Trade Commission. (Related document(s): Motion to File Document Under Seal,,,,,, 240 .) (Attachments: # 1 Appendix A_PUBLIC, # 2 Exhibit A - V_PUBLIC) (Musser, Susan) (Entered: 08/14/2024)
08/14/2024	254	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Motion in Limine to Exclude Expert Testimony of G. Roger King</i> . Filed by Federal Trade Commission. (Related document(s): Motion to File Document Under Seal,,,,,, 240 .) (Attachments: # 1 Exhibit A - H_PUBLIC) (Musser, Susan) (Entered: 08/14/2024)
08/14/2024	255	<i>Notice of Filing Under Seal Certain Parts of Defendants' Motion to Exclude the Expert Testimony of Dr. Edward Fox and Certain Accompanying Exhibits</i> Filed by Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 08/14/2024)
08/14/2024	256	<i>Motion to Exclude the Testimony of Dr. Edward Fox.</i> (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 08/14/2024)
08/14/2024	257	Declaration of A. Joshua Podoll <i>in Support of Defendants' Motion to Exclude the Testimony of Dr. Edward Fox.</i> (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Albertsons Companies, Inc.. (Related document(s): Motion - Miscellaneous 256 .) (Attachments: # 1 Exhibit 1 - Fox Deposition, # 2 Exhibit 2 - Excerpts of Fox Expert Report, # 3 Exhibit 3 - Fox Rebuttal Report) (Hawkes, Peter) (Entered: 08/14/2024)
08/14/2024	258	Declaration of Estefania Y. Torres Paez <i>In Support of Motion to Seal Plaintiffs' Motion in Limine to Exclude Evidence Made for Litigation</i> . Filed by District of Columbia. (Related document(s): Motion to File Document Under Seal,,,,,,, 246 .) (Attachments: # 1 Exhibit Torres Paez Dec. Ex. A, # 2 Exhibit Torres Paez Dec. Ex. B, # 3 Exhibit Torres Paez Dec. Ex. C, # 4 Exhibit Torres Paez Dec. Ex. D, # 5 Exhibit Torres Paez Dec. Ex. E, # 6 Exhibit Torres Paez Dec. Ex. F, # 7 Exhibit Torres Paez Dec. Ex. G, # 8 Exhibit Torres Paez Dec. Ex.H, # 9 Exhibit Torres Paez Dec. Ex. I, # 10 Exhibit Torres Paez Dec. Ex. J, # 11 Exhibit Torres Paez Dec. Ex. K, # 12 Exhibit Torres Paez Dec. Ex. L, # 13 Exhibit Torres Paez Dec. Ex. M, # 14 Exhibit Torres Paez Dec. Ex. N, # 15 Exhibit Torres Paez Dec. Ex. O, # 16 Exhibit Torres Paez Dec. Ex. P, # 17 Exhibit Torres Paez Dec. Ex. Q, # 18 Exhibit Torres Paez Dec. Ex. R, # 19 Exhibit Torres Paez Dec. Ex. S, # 20 Exhibit Torres Paez Dec. Ex. T, # 21 Exhibit Torres Paez Dec. Ex. U, # 22 Exhibit Torres Paez Dec. Ex. V, # 23 Exhibit Torres Paez Dec. Ex. W, # 24 Exhibit Torres Paez Dec. Ex. X) (Torres Paez, Estefania) (Entered: 08/14/2024)
08/14/2024	259	Redacted <i>Motion to Exclude the Testimony of Dr. Edward Fox</i> . Filed by Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 08/14/2024)
08/15/2024	260	ORDER: Granting Motion to Appear as Amicus Curiae 239 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/15/2024)
08/15/2024	261	ORDER: Granting Motion to File Document Under Seal 240 . Filer is ordered to file the attachment(s) to the Motion to File Document Under Seal ; Granting Motion to File Document Under Seal 246 . Filer is ordered to file the attachment(s) to the Motion to File Document Under Seal. Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/15/2024)
08/15/2024	262	ORDER REGARDING PRE-HEARING STIPULATIONS. Signed on 08/15/2024 by Judge Adrienne Nelson. (joha) (Entered: 08/15/2024)
08/15/2024	263	ORDER: ORDER REGARDING SEALING EVIDENTIARY HEARING EXHIBITS. Signed on 08/15/2024 by Judge Adrienne Nelson. (joha) (Entered: 08/15/2024)
08/16/2024	264	Amicus Brief of the States of Ohio, Alabama, Georgia and Iowa <i>in Support of Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction</i> . Filed by State of Ohio. (Collin, Thomas) (Entered: 08/16/2024)
08/16/2024	265	(FILED UNDER SEAL), <i>Motion in limine for an Adverse Inference</i> . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - F_UNDER SEAL, # 2 Exhibit H - V_UNDER SEAL) (Musser, Susan) (Entered: 08/16/2024)
08/16/2024	266	(FILED UNDER SEAL), <i>Motion in limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture</i> . Filed by Federal Trade Commission. (Attachments: # 1 Appendix A_UNDER SEAL, # 2 Exhibit B, D, E, H, J - V_UNDER SEAL) (Anderson, Barrett) (Entered: 08/16/2024)
08/16/2024	267	(FILED UNDER SEAL), <i>Motion in limine to Exclude Expert Testimony of G. Roger King</i> . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - H_UNDER SEAL) (Tyree, Leora) (Entered: 08/16/2024)
08/16/2024	268	Redaction to (FILED UNDER SEAL) <i>Motion in limine for an Adverse Inference</i> 265 by Federal Trade Commission. Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - V_PUBLIC, # 2 Proposed Order) (Musser, Susan) (Entered: 08/16/2024)

08/16/2024	269	Redaction to (FILED UNDER SEAL) Motion in limine to <i>Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture</i> 266 by Federal Trade Commission. Filed by Federal Trade Commission. (Attachments: # 1 Appendix A_PUBLIC, # 2 Exhibit A - V_PUBLIC, # 3 Proposed Order) (Anderson, Barrett) (Entered: 08/16/2024)
08/16/2024	270	Redaction to (FILED UNDER SEAL) Motion in limine to <i>Exclude Expert Testimony of G. Roger King</i> 267 by Federal Trade Commission. Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - H_PUBLIC, # 2 Proposed Order) (Tyree, Leora) (Entered: 08/16/2024)
08/16/2024	271	(FILED UNDER SEAL) , Motion in limine to <i>Exclude Evidence Made for Litigation and Evidence Produced After the Close of Fact Discovery, and Expert Testimony Based on Such Evidence</i> . Filed by District of Columbia. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit W, # 24 Exhibit X, # 25 Proposed Order) (Torres Paez, Estefania) (Entered: 08/16/2024)
08/16/2024	272	Redacted Motion in limine to <i>Exclude Evidence Made for Litigation and Evidence Produced After the End of Fact Discovery, and Expert Testimony Based on Such Evidence</i> . Filed by District of Columbia. (Attachments: # 1 Exhibit Exhibits A-X_PUBLIC, # 2 Proposed Order Proposed Order) (Torres Paez, Estefania) (Entered: 08/16/2024)
08/16/2024	273	Amicus Brief of 28 Members of Congress in Support of Plaintiffs' Motion for Preliminary Injunction. Filed by 28 Members of Congress. (Dahab, Nadia) (Entered: 08/16/2024)
08/16/2024	274	Brief Regarding Admissibility of Documents and Testimony. Filed by Federal Trade Commission. (Related document(s): Status Conference,,,,,,,,, 226 .) (Attachments: # 1 Proposed Order) (Musser, Susan) (Entered: 08/16/2024)
08/16/2024	275	Declaration of Susan A. Musser in Support of Brief Regarding Admissibility of Documents and Testimony. Filed by Federal Trade Commission. (Related document(s): Brief 274 .) (Attachments: # 1 Exhibit A - G) (Musser, Susan) (Entered: 08/16/2024)
08/16/2024	276	Brief Regarding Scope of the Record. Filed by All Defendants. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Proposed Order Proposed Order) (Podoll, Adam) (Entered: 08/16/2024)
08/19/2024	277	Third Party Notice of Appearance of Sherri D. Martinelli appearing on behalf of Ahold Delhaize USA, Inc.. Filed by on behalf of Ahold Delhaize USA, Inc.. (Martinelli, Sherri) (Entered: 08/19/2024)
08/19/2024	278	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Eric P. Enson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539024. Filed by Amazon.com, Inc.. (Enson, Eric) (Entered: 08/19/2024)
08/19/2024	279	COURTROOM MANAGEMENT AND DECORUM ORDER . Signed on 8/19/2024 by Judge Adrienne Nelson. (joha) (Entered: 08/19/2024)
08/20/2024	280	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Leslie Kostyshak. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539393. Filed by Ahold Delhaize USA, Inc.. (Kostyshak, Leslie) (Entered: 08/20/2024)
08/20/2024	281	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kevin Hahm. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539445. Filed by Ahold Delhaize USA, Inc.. (Hahm, Kevin) (Entered: 08/20/2024)
08/20/2024	282	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Alexis Gilman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539677. Filed by Amazon.com, Inc.. (Gilman, Alexis) (Entered: 08/20/2024)
08/20/2024	283	Notice of Appearance of Karl Neumann appearing on behalf of The J.M. Smucker Company(<i>Non-Party</i>). Filed by on behalf of The J.M. Smucker Company. (Neumann, Karl) (Entered: 08/20/2024)
08/20/2024	284	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mark A. Ford. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539707. Filed by Boston Consulting Group, Inc.. (Ford, Mark) (Entered: 08/20/2024)
08/20/2024	285	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Daniel J. Richardson. Filing fee in the amount of \$300 collected; Agency Tracking ID: BORDC-9539969. Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Attachment Attachment of Daniel Richardson's court admissions.) (Richardson, Daniel) (Entered: 08/20/2024)

08/20/2024	286	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Renata Hesse. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540202. Filed by C&S Wholesale Grocers, LLC. (Hesse, Renata) (Entered: 08/20/2024)
08/20/2024	287	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Samantha Hynes. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540236. Filed by C&S Wholesale Grocers, LLC. (Hynes, Samantha) (Entered: 08/20/2024)
08/20/2024	288	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joshua M. Wesneski. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540262. Filed by Kroger Company. (Wesneski, Joshua) (Entered: 08/20/2024)
08/20/2024	289	Notice of Appearance of Benjamin D. Greenberg appearing on behalf of Sprouts Farmers Market, Inc.. Filed by on behalf of Sprouts Farmers Market, Inc.. (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	290	Notice of Appearance of Benjamin D. Greenberg appearing on behalf of Costco Wholesale Corporation. Filed by on behalf of Costco Wholesale Corporation. (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	291	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Brian K. Grube. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540449. Filed by J.M. Smucker Company. (Grube, Brian) (Entered: 08/20/2024)
08/20/2024	292	Unopposed Motion <i>to Restrict Access to Sealed Materials</i> . Expedited Hearing requested. Filed by Albertsons Companies, Inc., Kroger Company. (Casey, B. John) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Eric P. Enson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539024 278 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Leslie Kostyshak. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539393 280 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kevin Hahm. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539445 281 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Alexis Gilman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539677 282 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Mark A. Ford. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9539707 284 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Daniel J. Richardson. Filing fee in the amount of \$300 collected; Agency Tracking ID: BORDC-9539969 285 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Renata Hesse. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540202 286 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Samantha Hynes. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540236 287 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joshua M. Wesneski. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540262 288 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024	293	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Richard David Marca. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540804. Filed by Stater Bros. Markets. (Marca, Richard) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Brian K. Grube. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540449 291 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024	294	Unopposed Motion <i>to Seal Evidentiary Hearing Exhibits PX8062 and PX4083</i> . Filed by Raley's Arizona, LLC, Raley's Holding Company. (Davidson, Clifford) (Entered: 08/20/2024)

08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Richard David Marca. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540804 293 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024	295	Declaration of Keith Knopf . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Raley's Arizona, LLC, Raley's Holding Company. (Related document(s): Motion - Miscellaneous 294 .) (Attachments: # 1 Exhibit Ex. 1 -- PX8062 -- HIGHLY CONFIDENTIAL, # 2 Exhibit Ex. 2 -- Knopf Depo -- HIGHLY CONFIDENTIAL) (Davidson, Clifford) (Entered: 08/20/2024)
08/20/2024	296	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sean Varner. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540916. Filed by Stater Bros. Markets. (Varner, Sean) (Entered: 08/20/2024)
08/20/2024	297	Motion to File Document Under Seal Certain Party Exhibits at the Upcoming Evidentiary Hearing (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Dollar Tree, Inc.. (Attachments: # 1 Proposed Sealed Document DT_00009, # 2 Proposed Sealed Document DT_Albertsons_000031, # 3 Proposed Sealed Document PX4010-001 to 074, # 4 Proposed Sealed Document PX4090-001 to 091) (Smith, Vicki) (Entered: 08/20/2024)
08/20/2024	298	Unopposed Motion <i>to Modify Subpoena to Permit Remote Testimony</i> . Expedited Hearing requested. Filed by Sprouts Farmers Market, Inc.. (Attachments: # 1 Proposed Order) (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	299	Declaration of J. Scott Neal . Filed by Sprouts Farmers Market, Inc.. (Related document(s): Motion - Miscellaneous 298 .) (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	300	Unopposed Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Target Corporation. (Tuthill-Kveton, Sarah) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sean Varner. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540916 296 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024	301	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney David W. Kesselman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9541113. Filed by Stater Bros. Markets. (Kesselman, David) (Entered: 08/20/2024)
08/20/2024	302	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jeremy R. Larson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9541143. Filed by Costco Wholesale Corporation. (Larson, Jeremy) (Entered: 08/20/2024)
08/20/2024	303	Notice of Filing Under Seal Filed by Sprouts Farmers Market, Inc.. (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	304	Notice of Appearance of Elizabeth B. Dawson appearing on behalf of Amazon.com, Inc.. Filed by on behalf of Amazon.com, Inc.. (Dawson, Elizabeth) (Entered: 08/20/2024)
08/20/2024	305	Unopposed Motion <i>to Seal</i> . Filed by Stater Bros. Markets. (Davis, Scott) (Entered: 08/20/2024)
08/20/2024	306	Unopposed Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) . Oral Argument requested. Filed by Sprouts Farmers Market, Inc.. (Attachments: # 1 Proposed Order) (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney David W. Kesselman. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9541113 301 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Jeremy R. Larson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9541143 302 : Reviewed and Ready for Ruling. (dino) (Entered: 08/20/2024)
08/20/2024	307	Declaration of Sean Varner <i>in Support of Motion to Seal</i> . Filed by Stater Bros. Markets. (Related document(s): Motion - Miscellaneous 305 .) (Attachments: # 1 Exhibit A - Email thread 8-16-2024, # 2 Exhibit B - Email thread 8-16-2024 w attached letter) (Davis, Scott) (Entered: 08/20/2024)
08/20/2024	308	Unopposed Motion to File Document Under Seal Corrected (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Oral Argument requested. Filed by Sprouts Farmers Market, Inc.. (Attachments: # 1 Proposed Sealed Document, # 2 Proposed Order) (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	309	ORDER: Consistent with the policy of the Judicial Conference of the United States, the Court will provide the public live, remote audio access to the opening arguments and closing arguments of the preliminary injunction

		hearing on August 26, 2024, and September 13, 2024. The public access number is 877-336-1831 Access Code: 7811146. The Court will not otherwise provide live, remote audio access. <i>See</i> https://www.uscourts.gov/news/2023/09/12/judicial-conference-revises-policy-expand-remote-audio-access-over-its-pre-covid https://www.uscourts.gov/news/2023/05/11/judiciary-ends-covid-emergency-study-broadcast-policy-continues Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/20/2024)
08/20/2024	310	Motion to File Document Under Seal <i>Hearing Exhibits</i> (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Boston Consulting Group, Inc.. (Attachments: # 1 Proposed Sealed Document, # 2 Declaration ISO Motion to Seal) (McCurdy, James) (Entered: 08/20/2024)
08/20/2024	311	Unopposed Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Amazon.com, Inc.. (Attachments: # 1 Proposed Sealed Document Exhibit A, # 2 Proposed Sealed Document Exhibit B, # 3 Proposed Sealed Document Exhibit C, # 4 Proposed Sealed Document Exhibit D, # 5 Proposed Sealed Document Exhibit E, # 6 Proposed Sealed Document Exhibit F, # 7 Proposed Sealed Document Exhibit G, # 8 Proposed Sealed Document Exhibit H, # 9 Proposed Sealed Document Exhibit I, # 10 Proposed Order) (Dawson, Elizabeth) (Entered: 08/20/2024)
08/20/2024	312	Unopposed Motion to File Document Under Seal <i>Evidentiary Hearing Exhibits</i> (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Ahold Delhaize USA, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Proposed Order) (Hahm, Kevin) (Entered: 08/20/2024)
08/20/2024	313	Declaration of John L. Roach, IV <i>in Support of Amazon.com, Inc.'s Unopposed Motion to Seal</i> . Filed by Amazon.com, Inc.. (Related document(s): Motion to File Document Under Seal,, 311 .) (Dawson, Elizabeth) (Entered: 08/20/2024)
08/20/2024	315	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Rachael Racine. Filing fee in the amount of \$300 collected; Agency Tracking ID: CORDC-9541417. Filed by Walmart Inc.. (Racine, Rachael) (Entered: 08/20/2024)
08/20/2024	316	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michelle Hale. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9541420. Filed by Walmart Inc.. (Hale, Michelle) (Entered: 08/20/2024)
08/20/2024	317	<i>Notice of Filing Under Seal</i> Filed by Costco Wholesale Corporation. (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	318	Unopposed Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Oral Argument requested. Filed by Costco Wholesale Corporation. (Attachments: # 1 Proposed Sealed Document, # 2 Proposed Order) (Greenberg, Benjamin) (Entered: 08/20/2024)
08/20/2024	319	<i>Motion to Seal Potential Trial Exhibits</i> . Filed by Kroger Company. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Casey, B. John) (Entered: 08/20/2024)
08/20/2024	320	Declaration of Yael Cosset <i>in Support of Motion to Seal Potential Trial Exhibits</i> . Filed by Kroger Company. (Related document(s): Motion - Miscellaneous 319 .) (Casey, B. John) (Entered: 08/20/2024)
08/20/2024	321	<i>Notice of Filing Exhibit Under Seal</i> Filed by J.M. Smucker Company. (Neumann, Karl) (Entered: 08/20/2024)
08/20/2024	322	Unopposed Motion <i>to Seal Certain Trial Exhibits Pursuant to Court Order</i> . Filed by Albertsons Companies, Inc.. (Attachments: # 1 Appendix A) (Hawkes, Peter) (Entered: 08/20/2024)
08/20/2024	323	Declaration of Jon-Peter Kelly <i>in Support of Albertsons Companies, Inc.'s Motion to Seal Certain Trial Exhibits Pursuant to Court Order</i> . Filed by Albertsons Companies, Inc.. (Related document(s): Motion - Miscellaneous 322 .) (Hawkes, Peter) (Entered: 08/20/2024)
08/20/2024	324	Unopposed Motion <i>to Seal</i> . Filed by J.M. Smucker Company. (Attachments: # 1 Declaration in Support Without Exhibit) (Neumann, Karl) (Entered: 08/20/2024)
08/20/2024	325	Unopposed Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by J.M. Smucker Company. (Attachments: # 1 Proposed Sealed Document Declaration in Support With Exhibit) (Neumann, Karl) (Entered: 08/20/2024)
08/20/2024	326	Notice of Appearance of Christopher J. Pallanch appearing on behalf of C&S Wholesale Grocers, LLC. Filed by on behalf of C&S Wholesale Grocers, LLC. (Pallanch, Christopher) (Entered: 08/20/2024)
08/20/2024	327	Motion To Seal Confidential Business Records. (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Pallanch, Christopher) (Entered: 08/20/2024)

08/20/2024	328	Declaration of <i>Christopher Pallanch ISO Motion to Seal Confidential Business Records</i> . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Related document(s): Motion - Miscellaneous 327 .) (Pallanch, Christopher) (Entered: 08/20/2024)
08/21/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Rachael Racine. Filing fee in the amount of \$300 collected; Agency Tracking ID: CORDC-9541417 315 : Reviewed and Ready for Ruling. (dino) (Entered: 08/21/2024)
08/21/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michelle Hale. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9541420 316 : Reviewed and Ready for Ruling. (dino) (Entered: 08/21/2024)
08/21/2024	329	A duplicate payment in the amount of \$300.00 was submitted by J.M. Smucker Company in the above-referenced case. For information on refund procedures, visit Requesting a Refund of Electronically Paid Fees on the Court's website. Refund Request is Due 9/3/2024. (nd) (Entered: 08/21/2024)
08/21/2024	330	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney James Michael Burns. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9542448. Filed by Dollar Tree, Inc.. (Burns, James) (Entered: 08/21/2024)
08/21/2024	331	ORDER: It is hereby ORDERED that the Motions to File Document Under Seal, ECF 297 , 300 , 306 , 308 , 310 , 311 , 312 , 314 , 318 , and 325 , are GRANTED. The parties are directed to file the attachment(s) to the Motions under seal. It is further ORDERED that in the interest of administrative expediency, parties filing documents containing information designated Confidential Material or Highly Confidential Material under the Protective Order, ECF 97 , or pursuant to the Order Regarding Sealing Evidentiary Exhibits, ECF 263 , shall file such documents under seal pursuant to the instructions for filing sealed submissions available at ord.uscourts.gov/sealedsubmissions , and that this Order constitutes the requisite prior authorization to file such documents under seal. Any documents filed under seal must be served on opposing counsel. It is further ORDERED that in the interest of administrative expediency, all documents previously filed pursuant to the Protective Order shall be sealed by the Clerk's Office. Signed on 8/21/2024 by Judge Adrienne Nelson. (joha) (Entered: 08/21/2024)
08/21/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney James Michael Burns. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9542448 330 : Reviewed and Ready for Ruling. (dino) (Entered: 08/21/2024)
08/21/2024	332	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael A. Lindsay. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9542642. Filed by Sprouts Farmers Market, Inc.. (Attachments: # 1 Exhibit A - Court Admissions List) (Lindsay, Michael) (Entered: 08/21/2024)
08/21/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael A. Lindsay. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9542642 332 : Reviewed and Ready for Ruling. (dino) (Entered: 08/21/2024)
08/21/2024	333	Unopposed Motion to Appear as Amicus Curiae <i>National Labor Relations Board</i> . Filed by National Labor Relations Board. (Attachments: # 1 Exhibit Exhibit - PROPOSED Amicus Brief of NLRB) (Becker, Daniel) (Entered: 08/21/2024)
08/21/2024	334	Exhibits <i>Attachments #1-#4 to ECF 297</i> re Order on Motion to File Document Under Seal,,,,,,,,,,,,,,,,,,,,,,,,,,,,, 331 , (DOCUMENT FILED UNDER SEAL) . Filed by Dollar Tree, Inc.. (Attachments: # 1 Attachment #2 to ECF 297, # 2 Attachment #3 to ECF 297, # 3 Attachment #4 to ECF 297) (Smith, Vicki) (Main Document 334 replaced on 8/27/2024) (cw). (Entered: 08/21/2024)
08/21/2024	335	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 282 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 284 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 285 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 286 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 287 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 288 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 291 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 293 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 296 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 301 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 302 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 315 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 316 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 330 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 332 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 278 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 280 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 281 . Ordered by Judge Adrienne Nelson. (dsg) (Entered: 08/21/2024)
08/21/2024	336	(DOCUMENT FILED UNDER SEAL) , Response in Opposition to Motion <i>Defendants' Motion to Partially Exclude the Testimony of Dr. Nicholas Hill</i> 242 . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - I_UNDER SEAL) (Pai, Rohan) (Entered: 08/21/2024)

08/21/2024	337	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Opposition to Defendants' Motion to Partially Exclude the Testimony of Dr. Nicholas Hill</i> . Filed by Federal Trade Commission. (Related document(s): (FILED UNDER SEAL),, Response in Opposition to Motion, 336 .) (Attachments: # 1 Exhibit Exhibit A - I_PUBLIC) (Musser, Susan) (Entered: 08/21/2024)
08/21/2024	338	(DOCUMENT FILED UNDER SEAL) , Response in Opposition to Motion <i>to Exclude the Testimony of Dr. Edward Fox</i> 256 . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - J_UNDER SEAL) (Drummonds, Katherine) (Entered: 08/21/2024)
08/21/2024	339	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Opposition to Defendants' Motion to Exclude the Testimony of Dr. Edward Fox</i> . Filed by Federal Trade Commission. (Related document(s): (FILED UNDER SEAL),, Response in Opposition to Motion, 338 .) (Attachments: # 1 Exhibit A - J_PUBLIC) (Musser, Susan) (Entered: 08/21/2024)
08/21/2024	340	ORDER: Any response by plaintiffs to The Kroger Companys Motion to Seal Potential Trial Exhibits, ECF 319 , or C&S Wholesale Grocers, LLCs Motion to Seal, ECF 327 , must be filed by 5:00 p.m. Pacific Time on August 22, 2024. Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/21/2024)
08/21/2024	341	ORDER: Non-party Sprouts Farmers Market, Inc.'s Unopposed Motion to Modify Subpoena to Permit Remote Testimony, ECF 298 , is GRANTED. Witness J. Scott Neal is permitted to testify via remote video at the preliminary injunction hearing scheduled to begin on August 26, 2024. Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/21/2024)
08/21/2024	342	(DOCUMENT FILED UNDER SEAL) , Response in Opposition to Motion <i>Defendants' Motion to Partially Exclude the Expert Testimony of Aaron Yeater</i> 249 . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - E_UNDER SEAL) (Musser, Susan) (Entered: 08/21/2024)
08/21/2024	343	Response <i>Defendants' Response to Plaintiffs' Motion in Limine to Exclude Expert Testimony of G. Roger King</i> to (FILED UNDER SEAL) Motion in limine <i>to Exclude Expert Testimony of G. Roger King</i> 267 . Filed by Kroger Company. (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	344	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Opposition to Defendants' Motion to Partially Exclude the Testimony of Aaron Yeater</i> . Filed by Federal Trade Commission. (Related document(s): (FILED UNDER SEAL),, Response in Opposition to Motion, 342 .) (Attachments: # 1 Exhibit A - E_PUBLIC) (Musser, Susan) (Entered: 08/21/2024)
08/21/2024	345	Exhibits <i>1-10</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	346	Exhibits re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	347	Response to (FILED UNDER SEAL) Motion in limine <i>for an Adverse Inference</i> 265 . Filed by Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 08/21/2024)
08/21/2024	348	Declaration of Edward D. Hassi <i>in Support of Albertsons Companies, Inc.'s Response to Plaintiffs' Motion in Limine for an Adverse Inference</i> . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Albertsons Companies, Inc.. (Related document(s): Response to Motion 347 .) (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11) (Hawkes, Peter) (Entered: 08/21/2024)
08/21/2024	349	Exhibits <i>14F-17B</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	350	Redacted Declaration of Edward D. Hassi <i>in Support of Albertsons Companies, Inc.'s Response to Plaintiffs' Motion in Limine for an Adverse Inference</i> . Filed by Albertsons Companies, Inc.. (Related document(s): Response to Motion 347 .) (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11) (Hawkes, Peter) (Entered: 08/21/2024)
08/21/2024	351	Notice re Declaration,, 348 , Declaration, 350 of <i>Filing Under Seal Certain Parts of Response to Plaintiffs' Motion in Limine for an Adverse Inference</i> Filed by Albertsons Companies, Inc.. (Related document(s): Declaration,, 348 , Declaration, 350 .) (Hawkes, Peter) (Entered: 08/21/2024)

08/21/2024	352	Exhibits 18-20 re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	353	Exhibits 21-22 re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	354	Exhibits 22A-30 re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Errata, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	355	Exhibits re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	356	Exhibits 40-42 re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	357	Exhibits 43-49 re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	358	Notice <i>Defendants' Notice of Filing Under Seal Certain Parts of Their Response to Plaintiffs' Motion in Limine to Exclude Evidence or Argument Related to Defendants' Proposed Divestiture and Certain Accompanying Exhibits</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	359	(DOCUMENT FILED UNDER SEAL) , Response <i>Defendants' Response to Plaintiffs' Motion in Limine to Exclude Evidence or Argument Related to Defendants' Proposed Divestiture</i> to Order on Motion to File Document Under Seal,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, 331 , (FILED UNDER SEAL) Motion in limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture 266 . Filed by Kroger Company. (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	360	(DOCUMENT FILED UNDER SEAL) , Declaration of Mark A. Perry <i>in Support of Defendants' Response to Plaintiffs' Motion in Limine to Exclude Evidence or Argument Related to Defendants' Proposed Divestiture</i> . Filed by Kroger Company. (Related document(s): Order on Motion to File Document Under Seal,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, 331 , (FILED UNDER SEAL),,, Response to Motion,, 359 .) (Attachments: # 1 Exhibit A - Cosset Declaration, # 2 Exhibit B - Deposition Testimony, # 3 Exhibit C - Order, # 4 Exhibit D - Order) (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	361	Redacted Response <i>Defendants' Response to Plaintiffs'</i> to (FILED UNDER SEAL) Motion in limine to Exclude Evidence or Argument Relating to Defendants' Proposed Divestiture 266 . Filed by Kroger Company. (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	362	Exhibits 50-60A re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	363	Redacted Declaration of Mark A. Perry <i>in Support of Defendants' Response to Plaintiffs' Motion in Limine to Exclude Evidence or Argument Related to Defendants' Proposed Divestiture</i> . Filed by Kroger Company. (Related document(s): Response to Motion, 361 .) (Attachments: # 1 Exhibit A - Declaration, # 2 Exhibit B - Deposition Testimony, # 3 Exhibit C - Order, # 4 Exhibit D - Order) (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	364	Notice <i>Defendants' Notice of Filing Under Seal Certain Parts of Their Opposition to Plaintiffs' Motion in Limine to Exclude Evidence About the Divestiture and Efficiencies and Accompanying Declaration and Exhibits</i> Filed by Kroger Company. (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	365	Exhibits 61-66 re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	366	Exhibits 67 re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)

08/21/2024	367	Exhibits 49A-49B re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	368	(DOCUMENT FILED UNDER SEAL) , Response <i>Defendants' Opposition to Plaintiffs' Motion in Limine to Exclude Evidence About the Divestiture and Efficiencies</i> to Order on Motion to File Document Under Seal,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, 331 , (FILED UNDER SEAL) Motion in limine to <i>Exclude Evidence Made for Litigation and Evidence Produced After the Close of Fact Discovery, and Expert Testimony Based on Such Evidence</i> 271 . Filed by Kroger Company. (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	369	Exhibits <i>exs 68-74</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	370	Exhibits <i>Ex 75</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	371	(DOCUMENT FILED UNDER SEAL) , Declaration of Sonia Pfaffenroth <i>in Support of Defendants' Opposition to Plaintiffs' Motion in Limine to Exclude Evidence About the Divestiture and Efficiencies</i> . Filed by Kroger Company. (Related document(s): Order on Motion to File Document Under Seal,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, 331 , (FILED UNDER SEAL),,, Response to Motion,, 368 .) (Attachments: # 1 Exhibit 1 - Expert Rebuttal Report, # 2 Exhibit 2 - Walnut Business Plan, # 3 Exhibit 3 - Email, # 4 Exhibit 4 - Deposition Transcript, # 5 Exhibit 5 - Walnut Business Plan, # 6 Exhibit 6 - Expert Report, # 7 Exhibit 7 - Deposition Excerpt, # 8 Exhibit 8 - Expert Report Excerpt, # 9 Exhibit 9 - Letter, # 10 Exhibit 10 - CNBC Article, # 11 Exhibit 11 - Deposition Excerpt, # 12 Exhibit 12 - Sourcing - GFR Slide Deck Excerpt, # 13 Exhibit 13 - Expert Report) (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	372	Exhibits <i>Exs 76-85</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	373	Redacted Response <i>Defendants' Opposition to</i> to (FILED UNDER SEAL) Motion in limine to <i>Exclude Evidence Made for Litigation and Evidence Produced After the Close of Fact Discovery, and Expert Testimony Based on Such Evidence</i> 271 . Filed by Kroger Company. (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	374	Exhibits <i>Exs 85A-93</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	375	Redacted Declaration of Sonia Pfaffenroth <i>in Support of Defendants' Opposition to Plaintiffs' Motion in Limine to Exclude Evidence About the Divestiture and Efficiencies</i> . Filed by Kroger Company. (Related document(s): Response to Motion, 373 .) (Attachments: # 1 Exhibit 1 - Expert Rebuttal Report Excerpt, # 2 Exhibit 2 - Walnut Business Plan, # 3 Exhibit 3 - Email, # 4 Exhibit 4 - Transcript Excerpt, # 5 Exhibit 5 - Walnut Business Plan, # 6 Exhibit 6 - Expert Report, # 7 Exhibit 7 - Deposition Excerpt, # 8 Exhibit 8 - Expert Rebuttal Report Excerpt, # 9 Exhibit 9 - Letter, # 10 Exhibit 10 - CNBC Article, # 11 Exhibit 11 - Deposition Excerpt, # 12 Exhibit 12 - Sourcing - GFR slide deck excerpt, # 13 Exhibit 13 - Expert Report) (Casey, B. John) (Entered: 08/21/2024)
08/21/2024	376	Exhibits <i>94-100</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	377	Exhibits <i>Exs 101-110</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	378	Exhibits <i>Exs 111-122</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	379	Exhibits <i>112A, 123-17</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)

08/21/2024	380	Exhibits <i>125A</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	381	Exhibits <i>exs 129-134</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	382	Exhibits <i>exs 134A-141</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	383	Exhibits <i>Ex 128</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit) (Pallanch, Christopher) (Entered: 08/21/2024)
08/21/2024	384	(DOCUMENT FILED UNDER SEAL) , Reply to <i>Defendants' Response to Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) 201</i> . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit DX0952 - PX1641_UNDER SEAL, # 2 Exhibit PX1654 - PX3842_UNDER SEAL, # 3 Exhibit PX4014 - PX13044_UNDER SEAL) (Musser, Susan) (Entered: 08/21/2024)
08/21/2024	385	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Reply to Defendants' Response to Plaintiffs' Motion for a Preliminary Injunction</i> . Filed by Federal Trade Commission. (Related document(s): (FILED UNDER SEAL),, Reply to Motion, 384 .) (Attachments: # 1 Exhibit PX6009 - PX6553_PUBLIC, # 2 Index of Exhibits Filed UNDER SEAL) (Musser, Susan) (Entered: 08/21/2024)
08/22/2024	386	Exhibits <i>49C, 53A, 58A, 59A</i> re Declaration, 328 . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit) (Hynes, Samantha) (Entered: 08/22/2024)
08/22/2024	387	Notice of Appearance of Rachael Racine appearing on behalf of Walmart Inc.. Filed by on behalf of Walmart Inc.. (Racine, Rachael) (Entered: 08/22/2024)
08/22/2024	388	Notice of Appearance of Michelle Hale appearing on behalf of Walmart Inc.. Filed by on behalf of Walmart Inc.. (Hale, Michelle) (Entered: 08/22/2024)
08/22/2024	389	ORDER: Granting Motion to Appear as Amicus Curiae 333 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/22/2024)
08/22/2024	390	Brief of <i>Amicus Curiae NLRB in Response to Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction</i> . Filed by National Labor Relations Board. (Related document(s): Response in Opposition to Motion, 236 .) (Becker, Daniel) (Entered: 08/22/2024)
08/22/2024	391	Motion for Leave to <i>Modify Subpoena to Permit Remote Testimony</i> . Expedited Hearing requested. Filed by Costco Wholesale Corporation. (Attachments: # 1 Proposed Order Granting Modifying Subpoena to Permit Remote Testimony) (Greenberg, Benjamin) (Entered: 08/22/2024)
08/22/2024	392	(DOCUMENT FILED UNDER SEAL) , Response in Opposition to Motion <i>To Seal Confidential Business Records 327</i> , Unopposed Motion to <i>Seal Certain Trial Exhibits Pursuant to Court Order 322</i> , Motion to <i>Seal Potential Trial Exhibits 319</i> . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - M_UNDER SEAL) (Musser, Susan) (Entered: 08/22/2024)
08/22/2024	393	(DOCUMENT FILED UNDER SEAL) , Exhibits <i>DX 0219A and DX 1725</i> . Filed by Boston Consulting Group, Inc.. (McCurdy, James) (Main Document 393 replaced on 8/26/2024) (cw). (Entered: 08/22/2024)
08/22/2024	394	Declaration of Susan A. Musser <i>in Support of Plaintiffs' Opposition to Defendants' and C&S's Motions to Seal</i> . Filed by Federal Trade Commission. (Related document(s): (FILED UNDER SEAL),, Response in Opposition to Motion, 392 .) (Attachments: # 1 Exhibit A - M_PUBLIC) (Musser, Susan) (Entered: 08/22/2024)
08/22/2024	395	Unopposed Motion to <i>Permit Remote Hearing Testimony</i> . Filed by J.M. Smucker Company. (Neumann, Karl) (Entered: 08/22/2024)
08/22/2024	396	Declaration of Robert Crane . Filed by J.M. Smucker Company. (Related document(s): Motion - Miscellaneous 395 .) (Neumann, Karl) (Entered: 08/22/2024)
08/22/2024	397	Unopposed Motion to <i>Permit Remote Testimony</i> . Filed by Ahold Delhaize USA, Inc.. (Hahm, Kevin) (Entered: 08/22/2024)
08/22/2024	398	Declaration of Matthew Yates <i>in Support of Motion to Permit Remote Testimony</i> . Filed by Ahold Delhaize USA, Inc.. (Related document(s): Motion - Miscellaneous 397 .) (Hahm, Kevin) (Entered: 08/22/2024)

08/22/2024	399	Redaction to (FILED UNDER SEAL),, Response in Opposition to Motion, 392 by Federal Trade Commission. Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A - M_PUBLIC) (Musser, Susan) (Entered: 08/22/2024)
08/22/2024	400	Supplemental Declaration of <i>Sean Varner in Support of Non-Party Stater Bros. Markets' Motion to Seal (ECF No. 305)</i> . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Stater Bros. Markets. (Related document(s): Motion - Miscellaneous 305 .) (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8) (Davis, Scott) (Entered: 08/22/2024)
08/23/2024	401	ORDER: Plaintiffs' Motion to Strike Untimely and Improper Reports of Dr. Mark Israel, ECF 208 , is DENIED. Plaintiffs are granted leave for Dr. Hill to produce a surreply limited to the matters discussed in the Surrebuttal and they may cross-examine Dr. Israel about the Second Corrected Report and the Surrebuttal at the preliminary injunction hearing. If plaintiffs choose to have Dr. Hill prepare a surreply, the surreply must be served on defendants no later than forty-eight hours prior to both Dr. Israel's and Dr. Hill's testimony. Signed on 8/23/2024 by Judge Adrienne Nelson. (joha) (Entered: 08/23/2024)
08/23/2024	402	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Steven Holley. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9547320. Filed by C&S Wholesale Grocers, LLC. (Holley, Steven) (Entered: 08/23/2024)
08/23/2024	403	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Pretrial Conference held on 8/23/2024 before Judge Adrienne Nelson, Court Reporter Bonita J. Shumway, telephone number (503)326-8188 or bonita_shumway@ord.uscourts.gov. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the Court Reporter or PACER. See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 8/30/2024. Redaction Request due 9/13/2024. Redacted Transcript Deadline set for 9/23/2024. Release of Transcript Restriction set for 11/21/2024. (Shumway, Bonita) (Entered: 08/23/2024)
08/23/2024	404	ORDER: Non-parties Costco Wholesale Corporation, J.M. Smucker Company, and Ahold Delhaize USA, Inc.s Unopposed Motions to Permit Remote Testimony, ECF 391 , 395 , 397 , are GRANTED. Witnesses Sarah George, Robert Crane, and Matthew Yates are permitted to testify via remote video at the preliminary injunction hearing scheduled to begin on August 26, 2024. Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/23/2024)
08/23/2024	406	MINUTES OF PRE-HEARING CONFERENCE: Pre-hearing matters discussed as stated on the record. Order to follow. Hearing on pre-hearing matters is set to commence on August 26, 2024 at 8:30 a.m. in Portland Courtroom 14A before Judge Adrienne Nelson. Preliminary injunction hearing (14 days) is set to commence on August 26, 2024 at 9:00 a.m. in Portland Courtroom 14A before Judge Adrienne Nelson. Susan Musser, Laura Hall, Charles Dickinson, Rohan Pai, and Barrett Anderson present as counsel for plaintiff Federal Trade Commission. Christopher Kayser present as counsel for plaintiff State of Oregon. Brian Yost present as counsel for plaintiff State of Illinois. Jeff Herrera present as counsel for plaintiff State of New Mexico. William Young present as counsel for plaintiff State of Wyoming. Lucas Tucker present as counsel for plaintiff State of Nevada. Estefania Torres Paez present as counsel for plaintiff District of Columbia. Nicole Gordon present as counsel for plaintiff State of California. Byron Warren present as counsel for plaintiff State of Maryland. Jayme Weber present as counsel for plaintiff State of Arizona Matthew Wolf, B. John Casey, Sonia Pfaffenroth, Mark Perry, Bambo Obaro, and Luna Barrington present as counsel for defendant Kroger Company. Enu Mainigi, David Angeli, Beth Stewart, Joshua Podall, Jonathan Pitt, Thomas Ryan, and William Ashworth present as counsel for defendant Albertsons Companies, Inc. Court Reporter: Bonita Shumway. Judge Adrienne Nelson presiding. (joha) (Entered: 08/25/2024)
08/24/2024	405	Request for Refund of Fees Paid Electronically regarding Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Brian K. Grube. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9540449 291 . Filed by J.M. Smucker Company. (Attachments: # 1 Attachment, # 2 Attachment, # 3 Attachment) (Grube, Brian) (Entered: 08/24/2024)
08/25/2024	407	PRE-HEARING ORDER. Signed on August 25, 2024 by Judge Adrienne Nelson. (joha) (Entered: 08/25/2024)
08/25/2024	408	ORDER ON NONPARTY MOTIONS TO SEAL EXHIBITS. Signed on August 25, 2024 by Judge Adrienne Nelson. (joha) (Entered: 08/25/2024)
08/26/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Steven Holley. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9547320 402 : Reviewed and Ready for Ruling. (dino) (Entered: 08/26/2024)
08/26/2024	409	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 402 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/26/2024)

08/26/2024	410	A duplicate payment in the amount of \$300.00 was submitted by C&S Wholesale Grocers, LLC in the above-referenced case. For information on refund procedures, visit Requesting a Refund of Electronically Paid Fees on the Court's website. Refund Request is Due 9/5/2024. (nd) (Entered: 08/26/2024)
08/26/2024	411	Exhibits <i>Filed Under Seal</i> re Unopposed Motion to File Document Under Seal Evidentiary Hearing Exhibits (DOCUMENT FILED UNDER SEAL) 312 , (DOCUMENT FILED UNDER SEAL) . Filed by Ahold Delhaize USA, Inc.. (Attachments: # 1 Exhibit A - DX 0239, # 2 Exhibit B - PX3424; DX 0247, # 3 Exhibit C - DX 0240, # 4 Exhibit D - DX 0244, # 5 Exhibit E - DX 0243, # 6 Exhibit F - DX 0241) (Hahm, Kevin) (Entered: 08/26/2024)
08/26/2024	412	Notice <i>Supplemental Statement re: Sealed Exhibits</i> Filed by Sprouts Farmers Market, Inc.. (Greenberg, Benjamin) (Entered: 08/26/2024)
08/26/2024	413	Stipulation <i>and Order Regarding the Scope of the Record</i> by Federal Trade Commission. Filed by Federal Trade Commission. (Musser, Susan) (Entered: 08/26/2024)
08/26/2024	418	MINUTES OF FIRST DAY OF PRELIMINARY INJUNCTION HEARING: Opening statements presented by the parties. Witnesses Peter Van Helden, Anthony Silva, and Andrew Groff sworn and examined. Exhibits offered and received. Court will be in recess until August 27, 2024 at 9:00 a.m. Susan Musser, Laura Hall, Charles Dickinson, Rohan Pai, Barrett Anderson, Joshua Smith, and Elizabeth Arens present as counsel for plaintiff Federal Trade Commission. Christopher Kayser and Tim Nord present as counsel for plaintiff State of Oregon. Paul Harper present as counsel for plaintiff State of Illinois. Jeff Herrera present as counsel for plaintiff State of New Mexico. William Young present as counsel for plaintiff State of Wyoming. Lucas Tucker present as counsel for plaintiff State of Nevada. Estefania Torres Paez present as counsel for plaintiff District of Columbia. Nicole Gordon present as counsel for plaintiff State of California. Byron Warren present as counsel for plaintiff State of Maryland. Jayme Weber present as counsel for plaintiff State of Arizona. Matthew Wolf, B. John Casey, Sonia Pfaffenroth, Christian Schultz, Joshua Davis, Mark Perry, Bambo Obaro, and Luna Barrington present as counsel for defendant Kroger Company. Enu Mainigi, David Angeli, Beth Stewart, Joshua Podall, Jonathan Pitt, and Mike Cowie present as counsel for defendant Albertsons Companies, Inc. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 08/27/2024)
08/27/2024	414	Unopposed Motion <i>Permit Remote Testimony</i> . Expedited Hearing requested. Filed by Amazon.com, Inc.. (Gilman, Alexis) (Entered: 08/27/2024)
08/27/2024	415	Declaration of Sonya Gafsi Oblisk . Filed by Amazon.com, Inc.. (Related document(s): Motion - Miscellaneous 414 .) (Gilman, Alexis) (Entered: 08/27/2024)
08/27/2024	416	Notice of Correction by Clerk regarding 334 Exhibits (FILED UNDER SEAL). A Clerical error has been discovered in the case record: The filing was missing a case caption cover page. The following corrections were made to the record: A corrected PDF has been uploaded to replace the incorrect one. The Notice of Electronic Filing (NEF) will be regenerated to all parties. (cw) (Entered: 08/27/2024)
08/27/2024	417	Notice <i>Supplemental Statement Regarding Sealed Exhibits</i> Filed by Amazon.com, Inc.. (Gilman, Alexis) (Entered: 08/27/2024)
08/27/2024	423	MINUTES OF SECOND DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Andrew Groff, J. Scott Neal, Michael Marx, Kurt Unkelbach, Todd Kammeyer, and Carl Huntington sworn and examined. Exhibits offered and received into evidence. Court will be in recess until August 28, 2024 at 9:00 a.m. Additional appearances: Lily Hough, Harris Rothman, and Alexander Bryson present as counsel for plaintiff Federal Trade Commission. Ellen Rosenblum present as counsel for plaintiff State of Oregon. Katheryn Maldonado, Sarah Sternlieb, and Kyle Angelotti present as counsel for defendant Kroger Company. Attorneys Maldonado and Angelotti are directed to file notices of appearance. William Ashworth and Allie Nickerson present as counsel for defendant Albertsons Companies, Inc. Attorney Nickerson is directed to file a notice of appearance. Michael Lindsay present as counsel for nonparty Sprouts Farmers Market, Inc. James Burns present as counsel for nonparty Dollar Tree, Inc. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 08/29/2024)
08/28/2024	419	ORDER: Non-party Amazon.com, Inc.'s Unopposed Motion to Permit Remote Testimony, ECF 414 , is GRANTED. Witness Sonya Gafsi Oblisk is permitted to testify via remote video at the preliminary injunction hearing. Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/28/2024)
08/28/2024	420	Clerk's Notice of Pay.gov Refund regarding Agency Tracking ID: AORDC-9540443. The request has been granted and the amount of \$300.00 will be refunded to Brian K Grube Related Doc 405 Request for Refund of Fees Paid Electronically,. (nd) (Entered: 08/28/2024)
08/28/2024	421	STIPULATION AND ORDER REGARDING THE SCOPE OF THE RECORD. Signed on 8/28/2024 by Judge Adrienne Nelson. (joha) (Entered: 08/28/2024)
08/28/2024	422	ORDER: On August 26, 2024, portions of the opening arguments were recorded and disseminated in violation of Local Rule 83-13 and the Courtroom Management and Decorum Order, ECF 279 . A public line for remote audio

		access to the closing arguments will no longer be provided. All other portions of the Courtroom Management and Decorum Order remain in effect. Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/28/2024)
08/28/2024	426	MINUTES OF THIRD DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Jon McPherson, Daniel Clay, Andrea Zinder, and Thomas Schwilke sworn and examined. Exhibits offered and received into evidence. Court will be in recess until August 29, 2024 at 9:00 a.m. Additional appearances: Jacob Hamburger and Daniel Matheson present as counsel for plaintiff Federal Trade Commission. Rebecca Sivitz, Luke Sullivan, and Sebastian Laguna present as counsel for defendant Kroger Company. Attorney Laguna is directed to file notices of appearance. James Fishkin present as counsel for defendant Albertsons Companies, Inc. Ciaran Connelly present as counsel for nonparty UFCW Local 555. Margo Feinberg present as counsel for nonparty UFCW Local 324. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 08/29/2024)
08/29/2024	424	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Alexandra Ann Nickerson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9555106. Filed by Albertsons Companies, Inc.. (Nickerson, Alexandra) (Entered: 08/29/2024)
08/29/2024	425	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Katheryn Maldonado. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9555248. Filed by Kroger Company. (Maldonado, Katheryn) (Entered: 08/29/2024)
08/29/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Alexandra Ann Nickerson. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9555106 424 : Reviewed and Ready for Ruling. (dino) (Entered: 08/29/2024)
08/29/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Katheryn Maldonado. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9555248 425 : Reviewed and Ready for Ruling. (dino) (Entered: 08/29/2024)
08/29/2024		MINUTES OF FOURTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Kevin Curry, Keith Knopf, Mark McGowan, and Alona Florenz sworn and examined. Exhibits offered and received into evidence. Court will be in recess until August 30, 2024 at 9:00 a.m. Additional appearances: Katherine Drummonds, Albert Teng, and Paul Frangie present as counsel for plaintiff Federal Trade Commission. Allison Gardner, Camilla Brandfield-Harvey, and Joshua Wesneski present as counsel for defendant Kroger Company. Attorney Brandfield-Harvey is directed to file a notice of appearance. Ashwin Shandilya present as counsel for defendant Albertsons Companies, Inc. Attorney Shandilya is directed to file a notice of appearance. Meghan Baker present as counsel for nonparties Raleys Arizona, LLC and Raleys Holding Company. Attorney Baker is directed to file a notice of appearance. Steven Holley present as counsel for nonparty C&S Wholesale Grocers, LLC. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 08/30/2024)
08/30/2024	427	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 424 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 425 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/30/2024)
08/30/2024	428	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Camilla Brandfield-Harvey. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556432. Filed by Kroger Company. (Brandfield-Harvey, Camilla) (Entered: 08/30/2024)
08/30/2024	429	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sebastian Laguna. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556445. Filed by Kroger Company. (Laguna, Sebastian) (Entered: 08/30/2024)
08/30/2024	430	Redaction to (FILED UNDER SEAL),, Reply to Motion, 384 by Federal Trade Commission. Filed by Federal Trade Commission. (Attachments: # 1 Index of Exhibits Filed UNDER SEAL, # 2 Exhibit PX6009 - PX6553) (Musser, Susan) (Entered: 08/30/2024)
08/30/2024	431	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Farrah Bara. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556612. Filed by Albertsons Companies, Inc.. (Bara, Farrah) (Entered: 08/30/2024)
08/30/2024	432	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Ashwin Shandilya. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556661. Filed by Albertsons Companies, Inc.. (Shandilya, Ashwin) (Entered: 08/30/2024)
08/30/2024	433	Unopposed Motion to File Document Under Seal Potential Evidentiary Hearing Exhibit (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by Ahold Delhaize USA, Inc.. (Attachments: # 1 Exhibit Proposed Sealed Document - Ex. A (PX4071; DX2500)) (Hahm, Kevin) (Entered: 08/30/2024)
08/30/2024	434	Declaration of Matthew Yates <i>in Support of Motion to Seal Potential Evidentiary Hearing Exhibit</i> . Filed by Ahold Delhaize USA, Inc.. (Related document(s): Motion to File Document Under Seal, 433 .) (Hahm, Kevin) (Entered: 08/30/2024)

08/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Camilla Brandfield-Harvey. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556432 428 : Reviewed and Ready for Ruling. (dino) (Entered: 08/30/2024)
08/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sebastian Laguna. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556445 429 : Reviewed and Ready for Ruling. (dino) (Entered: 08/30/2024)
08/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Farrah Bara. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556612 431 : Reviewed and Ready for Ruling. (dino) (Entered: 08/30/2024)
08/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Ashwin Shandilya. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556661 432 : Reviewed and Ready for Ruling. (dino) (Entered: 08/30/2024)
08/30/2024	435	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael Levy. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556926. Filed by Albertsons Companies, Inc.. (Levy, Michael) (Entered: 08/30/2024)
08/30/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Michael Levy. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9556926 435 : Reviewed and Ready for Ruling. (dino) (Entered: 08/30/2024)
08/30/2024	436	Motion to Quash <i>Trial Subpoena</i> . Filed by Target Corporation. (Tuthill-Kveton, Sarah) (Entered: 08/30/2024)
08/30/2024	437	MINUTES OF FIFTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Alona Florenz and Eric Winn sworn and examined. Exhibits offered and received into evidence. Court will be in recess until September 3, 2024 at 9:00 a.m. Additional appearances: Joshua Davis present as counsel for defendant Kroger Company. Yosef Weitzman and Farrah Bara present as counsel for defendant Albertsons Companies, Inc. Court Reporter: Jill Jessup. Judge Adrienne Nelson presiding. (joha) (Entered: 08/30/2024)
08/30/2024	438	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 428 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 429 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 431 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 432 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 435 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 08/30/2024)
08/30/2024	439	ORDER by Judge Adrienne Nelson: Any response by defendants to nonparty Target Corporations Motion to Quash Trial Subpoena, (ECF # 436), must be filed by September 3, 2024. (eo) (Entered: 08/30/2024)
09/03/2024	440	Unopposed Motion for Order to <i>Modify Subpoena to Permit Remote Testimony</i> . Filed by Walmart Inc.. (Attachments: # 1 Proposed Order) (Racine, Rachael) (Entered: 09/03/2024)
09/03/2024	441	Declaration of Marc Lieberman <i>in Support of Non-Party Walmart Inc.'s Unopposed Motion to Modify Subpoena to Permit Remote Access</i> . Filed by Walmart Inc.. (Related document(s): Motion for Order 440 .) (Racine, Rachael) (Entered: 09/03/2024)
09/03/2024	442	ORDER: Non-party Walmart Inc.'s Unopposed Motion to Permit Remote Testimony, ECF 440 , is GRANTED. Witness Marc Lieberman is permitted to testify via remote video at the preliminary injunction hearing. Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/03/2024)
09/03/2024	443	ORDER: Nonparty Ahold Delhaize USA, Inc.'s Motion to File Document Under Seal, ECF 433 , is GRANTED. Filer is ordered to file the attachment(s) to the Motion to File Document Under Seal. In addition, nonparty Ahold Delhaize USA, Inc.s unopposed motion to seal portions of exhibits PX4071 and DX2500 is GRANTED. Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/03/2024)
09/03/2024	444	MINUTES OF SIXTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Edward J. Fox, Todd Broderick, and Nicholas Hill sworn and examined. Exhibits offered and received into evidence. Court will be in recess until September 4, 2024 at 9:00 a.m. Additional appearances: Emily Blackburn present as counsel for plaintiff Federal Trade Commission. Saivignesh Venkat present as counsel for plaintiff State of Arizona. Cheryl Hiemstra present as counsel for plaintiff State of Oregon. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 09/03/2024)
09/03/2024	445	Response in Opposition to Motion to Quash <i>Trial Subpoena</i> 436 . Filed by Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 09/03/2024)
09/04/2024	446	Exhibits <i>A (PX4071; DX2500)</i> re Unopposed Motion to File Document Under Seal Potential Evidentiary Hearing Exhibit (DOCUMENT FILED UNDER SEAL) 433 , (DOCUMENT FILED UNDER SEAL) . Filed by Ahold Delhaize USA, Inc.. (Hahm, Kevin) (Main Document 446 replaced on 9/5/2024) (dsg). (Entered: 09/04/2024)

09/04/2024	447	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kyle Angelotti. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9561145. Filed by Kroger Company. (Angelotti, Kyle) (Entered: 09/04/2024)
09/04/2024	448	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Timothy Roche. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9561749. Filed by Kroger Company. (Roche, Timothy) (Entered: 09/04/2024)
09/04/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kyle Angelotti. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9561145 447 : Reviewed and Ready for Ruling. (dino) (Entered: 09/04/2024)
09/04/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Timothy Roche. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9561749 448 : Reviewed and Ready for Ruling. (dino) (Entered: 09/04/2024)
09/04/2024	449	ORDER: Nonparty Target Corporation's Motion to Quash Trial Subpoena, ECF 436 , is GRANTED in part and DENIED in part. The motion to quash is denied. The motion to permit remote testimony is granted. Witness John Conlin is permitted to testify via remote video at the preliminary injunction hearing. Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/04/2024)
09/04/2024	450	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 447 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 448 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/04/2024)
09/04/2024	451	MINUTES OF SEVENTH DAY OF PRELIMINARY INJUNCTION HEARING: Plaintiffs Rest. Witnesses Rodney McMullen, Vivek Sankaran, and Stuart Aitken sworn and examined. Exhibits offered and received into evidence. Court will be in recess until September 5, 2024 at 9:00 a.m. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) Modified to add docket text <i>Plaintiffs Rest</i> on 9/12/2024 (joha). (Entered: 09/04/2024)
09/05/2024	455	MINUTES OF EIGHTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Stuart Aitken, Susan Morris, Sarah George, Mafaz Maharroof, and Rajiv Gokhale sworn and examined. Exhibits offered and received into evidence. Guia Dixon, Trisha Grant, and Jeanine Balbach present as counsel for plaintiff Federal Trade Commission. Michael Kientzle and Daniel Richardson present as counsel for defendant Kroger Company. Court will be in recess until September 6, 2024 at 9:00 a.m. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 09/09/2024)
09/06/2024	452	MINUTES OF NINTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Rajiv Gokhale and Matthew Yates sworn and examined. Exhibits offered and received into evidence. John Holler present as counsel for defendant Kroger Company. Kevin Hahn present as counsel for nonparty Ahold Delhaize USA, Inc. Court will be in recess until September 9, 2024 at 9:00 a.m. Court Reporter: Jill Jessup. Judge Adrienne Nelson presiding. (joha) (Entered: 09/06/2024)
09/06/2024	454	Request for Refund of Fees Paid Electronically regarding Refund Request Due, 410 . Filed by C&S Wholesale Grocers, LLC. (Pallanch, Christopher) (Entered: 09/06/2024)
09/09/2024	458	MINUTES OF TENTH DAY OF PRELIMINARY INJUNCTION HEARING: Witness Yael Cosset sworn and examined. Exhibits offered and received into evidence. Win Hahn and Colleen Connor present as counsel for defendant Kroger Company. Attorneys Hahn and Connor are directed to file notices of appearance. Connor Nolan present for plaintiff State of Arizona. Court will be in recess until September 10, 2024 at 9:00 a.m. Court Reporter: Jill Jessup. Judge Adrienne Nelson presiding. (joha) (Entered: 09/10/2024)
09/10/2024	456	Unopposed Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL). (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Expedited Hearing requested. Filed by Amazon.com, Inc.. (Attachments: # 1 Proposed Sealed Document Exhibit A, # 2 Proposed Sealed Document Exhibit B, # 3 Proposed Sealed Document Exhibit C, # 4 Proposed Sealed Document Exhibit D, # 5 Proposed Order) (Gilman, Alexis) (Entered: 09/10/2024)
09/10/2024	457	Declaration of John L. Roach, IV <i>in Support of Amazon.com, Inc.'s Unopposed Motion to Seal</i> . Filed by Amazon.com, Inc.. (Related document(s): Motion to File Document Under Seal, 456 .) (Gilman, Alexis) (Entered: 09/10/2024)
09/10/2024	459	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joseph Ehrenkrantz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9570473. Filed by Kroger Company. (Ehrenkrantz, Joseph) (Entered: 09/10/2024)
09/10/2024	460	Clerk's Notice of Pay.gov Refund regarding Agency Tracking ID: BORDC-9547310. The request has been granted and the amount of \$300.00 will be refunded to Stephen Paul Related Doc 454 Request for Refund of Fees Paid Electronically. (nd) (Entered: 09/10/2024)

09/10/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Joseph Ehrenkrantz. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9570473 459 : Reviewed and Ready for Ruling. (dino) (Entered: 09/10/2024)
09/10/2024	461	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 459 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/10/2024)
09/10/2024	462	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Colleen Connors. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9571341. Filed by Kroger Company. (Connors, Colleen) (Entered: 09/10/2024)
09/10/2024	464	MINUTES OF ELEVENTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Sonya Gafsi Oblisk, Marc Lieberman, Yael Cosset, Dan Dosenbach, and Robert Crane sworn and examined. Exhibits offered and received into evidence. For the reasons stated on the record, nonparty Walmart Inc.'s Unopposed Motion to File Document Under Seal, ECF 453 , and unopposed motion to seal the deposition transcript of Marc Lieberman are GRANTED. For the reasons stated on the record, nonparty Amazon.com, Inc.'s Unopposed Motion to File Document Under Seal, ECF 456 , and unopposed supplemental motion to seal are GRANTED. Joseph Ehrenkrantz present as counsel for defendant Kroger Company. Eric Enson present as counsel for nonparty Amazon.com, Inc. Rachael Racine present as counsel for nonparty Walmart Inc. Brian Grube present as counsel for nonparty J.M. Smucker Company. Court will be in recess until September 11, 2024 at 9:00 a.m. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 09/11/2024)
09/11/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Colleen Connors. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9571341 462 : Reviewed and Ready for Ruling. (dino) (Entered: 09/11/2024)
09/11/2024	463	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Winfield Charles Hahn. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9571559. Filed by Kroger Company. (Hahn, Winfield) (Entered: 09/11/2024)
09/11/2024	465	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 462 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/11/2024)
09/11/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Winfield Charles Hahn. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9571559 463 : Reviewed and Ready for Ruling. (dino) (Entered: 09/11/2024)
09/11/2024	466	Notice of Appearance of Sarah E. Tuthill-Kveton, Rachel Erin Meche appearing on behalf of Target Corporation. Filed by on behalf of Target Corporation. (Tuthill-Kveton, Sarah) (Entered: 09/11/2024)
09/11/2024	467	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 463 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/11/2024)
09/11/2024	468	MINUTES OF TWELFTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Mark Israel, John Conlin, Roger King, and Sam Heyworth sworn and examined. Exhibits offered and received into evidence. LeOra Tyree present as counsel for plaintiff Federal Trade Commission. Eric Enson present as counsel for nonparty Amazon.com, Inc. Rachel Meche present as counsel for nonparty Target Corporation. Court will be in recess until September 12, 2024 at 8:30 a.m. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 09/11/2024)
09/12/2024	469	MINUTES OF THIRTEENTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Roger King, Lisa Kinney, Justin McCrary, and Daniel Galante sworn and examined. Exhibits offered and received into evidence. Defendants rest. Katie Rider present as counsel for defendant Kroger Company. Attorney Rider is directed to file a notice of appearance. Court will be in recess until September 13, 2024 at 9:00 a.m. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 09/12/2024)
09/13/2024	470	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kathryn Rider. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9575575. Filed by Kroger Company. (Rider, Kathryn) (Entered: 09/13/2024)
09/13/2024	471	SCHEDULING ORDER: Closing arguments in the preliminary injunction hearing set to begin on September 17, 2024 at 8:30 a.m. in Portland Courtroom 14A before Judge Adrienne Nelson. Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/13/2024)
09/13/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Kathryn Rider. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9575575 470 : Reviewed and Ready for Ruling. (dino) (Entered: 09/13/2024)
09/13/2024	472	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 470 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/13/2024)

09/13/2024	473	MINUTES OF FOURTEENTH DAY OF PRELIMINARY INJUNCTION HEARING: Witnesses Aaron Yeater, Orley Ashenfelter, and Nicholas Hill sworn and examined. Exhibits offered and received into evidence. Plaintiffs rest. Court will be in recess until September 17, 2024 at 8:30 a.m. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 09/13/2024)
09/17/2024	474	MINUTES OF FIFTEENTH DAY OF PRELIMINARY INJUNCTION HEARING: Closing arguments presented. Plaintiffs' motion for preliminary injunction is taken under advisement. The parties shall file a joint proposal regarding post-hearing briefing within twenty-four hours of the close of hearing today. Court Reporters: Jill Jessup and Dennis Apodaca. Judge Adrienne Nelson presiding. (joha) (Entered: 09/17/2024)
09/17/2024	475	ORDER granting Unopposed Motion to Restrict Access to Sealed Materials, ECF 292 . As stated on the record at the pre-hearing conference, no restricted documents were accessed by unauthorized persons. Ordered by Judge Adrienne Nelson. (joha) (Entered: 09/17/2024)
09/19/2024	476	Joint Proposed Form of Order Submitted <i>Regarding Post-Hearing Briefing</i> . Filed by Federal Trade Commission. (Musser, Susan) (Entered: 09/19/2024)
09/20/2024	477	Order Regarding Post-Hearing Briefing. IT IS HEREBY ORDERED THAT The Parties shall submit proposed findings of fact, conclusions of law, and supporting memoranda, not to exceed a combined 135 pages, by 5:00 p.m. Pacific Time on September 27, 2024. Signed on September 20, 2024 by Judge Adrienne Nelson. (gw) (Entered: 09/20/2024)
09/25/2024	478	Unopposed Motion to Amend/Correct Order on motion for protective order 97 . Filed by Federal Trade Commission. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Proposed Order) (Musser, Susan) (Entered: 09/25/2024)
09/26/2024	479	ORDER GRANTING PLAINTIFF FEDERAL TRADE COMMISSION'S MOTION TO AMEND STIPULATED PROTECTIVE ORDER. Signed on 9/26/2024 by Judge Adrienne Nelson. (joha) (Entered: 09/26/2024)
09/27/2024	480	(DOCUMENT FILED UNDER SEAL) , Proposed Findings of Fact <i>Defendants' Proposed Findings of Fact and Conclusions of Law</i> . Filed by Kroger Company. (Casey, B. John) (Entered: 09/27/2024)
09/27/2024	481	(DOCUMENT FILED UNDER SEAL) , Proposed Findings of Fact , <i>Proposed Conclusions of Law and Post-Hearing Brief</i> . Filed by Federal Trade Commission. (Musser, Susan) (Entered: 09/27/2024)
09/27/2024	482	Notice re (FILED UNDER SEAL), Findings of Fact 480 <i>Defendants' Notice of Filing Under Seal Unredacted Version of Defendants' Propolsed Findings of Fact and Conclusions of Law</i> Filed by Kroger Company. (Related document(s): (FILED UNDER SEAL), Findings of Fact 480 .) (Casey, B. John) (Entered: 09/27/2024)
09/27/2024	483	Redacted Proposed Findings of Fact <i>Defendants' Proposed Findings of Fact and Conclusions of Law - Redacted Version</i> . Filed by Kroger Company. (Casey, B. John) (Entered: 09/27/2024)
09/27/2024	484	Brief <i>Regarding Post-Hearing Exhibits</i> . Filed by Federal Trade Commission. (Related document(s): Order 421 .) (Attachments: # 1 Attachment Joint List of Post-Hearing Exhibits the Parties Agree are Admissible, # 2 Attachment Joint List of Post-Hearing Exhibits to Which Defendants Maintain An Objection, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C) (Anderson, Barrett) (Entered: 09/27/2024)
09/27/2024	485	Declaration of Barrett J. Anderson <i>in Support of Plaintiffs' Brief Regarding Post-Hearing Exhibits</i> . Filed by Federal Trade Commission. (Related document(s): Brief, 484 .) (Attachments: # 1 Attachment Joint List of Post-Hearing Exhibits the Parties Agree Are Admissible, # 2 Attachment Joint List of Post-Hearing Exhibits to Which Defendants Maintain an Objection, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C) (Anderson, Barrett) (Entered: 09/27/2024)
09/27/2024	486	Response <i>Defendants' Response to Plaintiffs' Request to Submit Post-Hearing Exhibits</i> .(Related document(s): Order 421 .) Filed by Kroger Company. (Attachments: # 1 Exhibit A - Objections, # 2 Exhibit B - Email, # 3 Exhibit C - Order) (Casey, B. John) (Entered: 09/27/2024)
09/30/2024	487	Notice of Attorney Withdrawal: <i>Alexandra Nickerson</i> Filed by Albertsons Companies, Inc.. (Nickerson, Alexandra) (Entered: 09/30/2024)
10/07/2024	489	Notice of Correction by Clerk regarding Redaction to (FILED UNDER SEAL), Findings of Fact 488 . A Clerical error has been discovered in the case record: The document was erroneously filed. The following corrections were made to the record: The entry has been sealed. (joha) (Entered: 10/07/2024)
10/07/2024	490	Redaction to (FILED UNDER SEAL), Findings of Fact 481 , <i>Proposed Conclusions of Law and Post-Hearing Brief</i> by Federal Trade Commission. Filed by Federal Trade Commission. (Musser, Susan) (Entered: 10/07/2024)
10/07/2024	491	(DOCUMENT FILED UNDER SEAL) , Supplemental Response to <i>Plaintiffs' Request to Submit Post-Hearing Exhibits by Defendants</i> .(Related document(s): Order on Motion to File Document Under Seal,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, 331 , Response, 486 .) Filed by Kroger Company. (Attachments: # 1 Exhibit A - Plaintiffs' Proposed Findings/Conclusions) (Casey, B. John) (Entered: 10/07/2024)

10/07/2024	492	Redacted Response <i>Defendants' Supplemental Response to Plaintiffs' Request to Submit Post-Hearing Exhibits</i> . (Related document(s): Response, 486 .) Filed by Kroger Company. (Attachments: # 1 Exhibit A - Plaintiffs' Proposed F&C) (Casey, B. John) (Entered: 10/07/2024)
10/07/2024	493	Motion to Seal <i>Post-Hearing Exhibits and Filings</i> . Filed by Kroger Company. (Attachments: # 1 Ex. A) (Casey, B. John) (Entered: 10/07/2024)
10/07/2024	494	Declaration of Yael Cosset . Filed by Kroger Company. (Related document(s): Motion - Miscellaneous 493 .) (Casey, B. John) (Entered: 10/07/2024)
10/07/2024	495	Motion to Seal <i>Post Trial Filings</i> . (DOCUMENT SEALED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Attachments: # 1 Proposed Sealed Document) (Pallanch, Christopher) (Entered: 10/07/2024)
10/07/2024	496	Declaration of <i>Eric Winn</i> . Filed by C&S Wholesale Grocers, LLC. (Related document(s): Motion - Miscellaneous 495 .) (Pallanch, Christopher) (Entered: 10/07/2024)
10/07/2024	497	Motion to Seal <i>Certain Exhibits and Portions of Plaintiffs' Findings of Fact and Conclusions of Law</i> . Filed by Albertsons Companies, Inc.. (Attachments: # 1 Appendix A) (Hawkes, Peter) (Entered: 10/07/2024)
10/07/2024	498	Declaration of Adwoa Gharthey-Tagoe Seymour <i>in Support of Motion to Seal Certain Exhibits and Portions of Plaintiffs' Findings of Fact and Conclusions of Law</i> . Filed by Albertsons Companies, Inc.. (Related document(s): Motion - Miscellaneous 497 .) (Hawkes, Peter) (Entered: 10/07/2024)
10/09/2024	499	ORDER: The court is in receipt of C&S Wholesale Grocers, LLC's Motion to Seal Post-Hearing Exhibits and Filings, ECF 493 . C&S is directed to file a supplemental filing by October 16, 2024 explaining whether the request to redact a portion of paragraph 137 of plaintiff's proposed findings of fact, conclusions of law, and post-hearing brief is moot in light of the amended filing at ECF 490 . C&S must also clarify whether it moves to maintain certain exhibits under seal or to redact portions of the parties' post-hearing briefing. If the former, C&S must provide a list of those exhibits; if the latter, C&S must provide copies of the post-hearing briefings with the requested redactions highlighted. Ordered by Judge Adrienne Nelson. (dsg) (Entered: 10/09/2024)
10/09/2024	500	Notice of Appearance of Dallas S. DeLuca appearing on behalf of Aldi Inc.. Filed by on behalf of Aldi Inc.. (DeLuca, Dallas) (Entered: 10/09/2024)
10/09/2024	501	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sara Young Razi. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9607577. Filed by Dollar General Corporation. (Razi, Sara) (Entered: 10/09/2024)
10/09/2024	502	Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Karen Hoffman Lent. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9607566. Filed by Aldi Inc.. (Lent, Karen) (Entered: 10/09/2024)
10/09/2024	503	Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL). (DOCUMENT SEALED ACCORDING TO PROTECTIVE ORDER) Filed by Dollar General Corporation. (Kalmanson, Matthew) (Entered: 10/09/2024)
10/09/2024	504	Declaration of Jason Bates . (DOCUMENT SEALED ACCORDING TO PROTECTIVE ORDER) Filed by Dollar General Corporation. (Related document(s): Motion to File Document Under Seal 503 .) (Attachments: # 1 Exhibit A) (Kalmanson, Matthew) (Entered: 10/09/2024)
10/09/2024	505	Unopposed Motion to File Document Under Seal (DOCUMENT FILED UNDER SEAL) . Filed by Costco Wholesale Corporation. (Greenberg, Benjamin) (Entered: 10/09/2024)
10/09/2024	506	Declaration of Benjamin Greenberg <i>In Support of Non-Party Costco's Unopposed Motion to Seal</i> . Filed by Costco Wholesale Corporation. (Related document(s): Motion to File Document Under Seal 505 .) (Greenberg, Benjamin) (Entered: 10/09/2024)
10/10/2024	507	Notice of Appearance of Leslie S. Johnson appearing on behalf of Nestle USA. Filed by on behalf of Nestle USA. (Johnson, Leslie) (Entered: 10/10/2024)
10/10/2024	508	Declaration of Todd Burski . Filed by Nestle USA. (Related document(s): Non-Party Nestle USA's Unopposed Motion to Seal PX5017 (# 512 .) (Johnson, Leslie) Modified to indicate declaration supports motion (# 512) on 10/16/2024 (eo). (Entered: 10/10/2024)
10/10/2024	509	Motion <i>Nonparty Aldi Inc.'s Unopposed Motion to Seal Deposition Testimony</i> . Filed by Aldi Inc.. (DeLuca, Dallas) (Entered: 10/10/2024)
10/10/2024	510	Declaration of Robert Sitter <i>in Support of Nonparty Aldi Inc.'s Motion to Seal</i> . Filed by Aldi Inc.. (Related document(s): Motion - Miscellaneous 509 .) (DeLuca, Dallas) (Entered: 10/10/2024)

10/10/2024	511	Exhibits <i>A to Declaration of Robert Sitter in Support of Nonparty Aldi Inc.'s Motion to Seal</i> re Declaration 510 . (DOCUMENT SEALED ACCORDING TO PROTECTIVE ORDER) Filed by Aldi Inc.. (DeLuca, Dallas) (Entered: 10/10/2024)
10/16/2024	512	Non-Party Nestle USA's Unopposed Motion to Seal PX5017. Filed by Nestle USA. (Johnson, Leslie) Modified to correct docket Text and unseal motion on 10/16/2024 (joha). (Entered: 10/16/2024)
10/16/2024	513	Supplement <i>C&S Wholesale Grocers LLC's Supplemental Filing to Motion to Seal Confidential Business Records</i> . (DOCUMENT SEALED ACCORDING TO PROTECTIVE ORDER) Filed by C&S Wholesale Grocers, LLC. (Related document(s): Motion - Miscellaneous 493 .) (Attachments: # 1 Attachment Proposed redactions) (Pallanch, Christopher) (Entered: 10/16/2024)
10/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Sara Young Razi. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9607577 501 : Reviewed and Ready for Ruling. (dino) (Entered: 10/16/2024)
10/16/2024		Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> . <i>Pro Hac Vice</i> admission requested by attorney Karen Hoffman Lent. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-9607566 502 : Reviewed and Ready for Ruling. (dino) (Entered: 10/16/2024)
10/16/2024	514	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 501 ; Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 502 . Ordered by Judge Adrienne Nelson. (joha) (Entered: 10/16/2024)
11/15/2024	515	ORDER: Nonparty Dollar General Corporation's Unopposed Motion to Seal, ECF 503 , is GRANTED. The designated portions of the deposition transcript of Nicholas Snow, PX4116, shall remain under seal. Ordered by Judge Adrienne Nelson. (joha) (Entered: 11/15/2024)
11/15/2024	516	ORDER: Nonparty Costco Wholesale Corporation's Unopposed Motion to Seal, ECF 505 , is granted. Exhibit PX4096 shall remain under seal. Ordered by Judge Adrienne Nelson. (joha) (Entered: 11/15/2024)
11/15/2024	517	ORDER: Nonparty Aldi Inc.'s Unopposed Motion to Seal Deposition Testimony, ECF 509 , is granted. The deposition testimony of Robert Sitter shall remain sealed. Ordered by Judge Adrienne Nelson. (joha) (Entered: 11/15/2024)
11/15/2024	518	ORDER: Nonparty Nestle USA's Unopposed Motion to Seal Exhibit PX5017, ECF 512 , is GRANTED. Ordered by Judge Adrienne Nelson. (joha) (Entered: 11/15/2024)
11/25/2024	519	Notice of Attorney Withdrawal: Filed by State of Maryland. (Honick, Gary) (Entered: 11/25/2024)
12/10/2024	520	Notice of Change of Address. Filed by Albertsons Companies, Inc.. (Hawkes, Peter) (Entered: 12/10/2024)
12/10/2024	521	OPINION & ORDER: Plaintiffs are likely to succeed on the merits and the equities weigh in favor of an injunction. Accordingly, plaintiffs' motion for preliminary injunction is GRANTED. The proposed merger between defendants Kroger Company and Albertsons Companies, Inc. is enjoined pending the outcome of the administrative proceedings before the Federal Trade Commission. Signed on 12/10/2024 by Judge Adrienne Nelson. (joha) (Entered: 12/10/2024)
12/10/2024	522	ORDER: The motions to seal potential trial exhibits, ECF 319 , ECF 322 , and ECF 327 are DENIED as moot in light of the parties' agreement to confer, narrow down the list of exhibits to be sealed, and inform the court throughout the preliminary injunction hearing which documents should be kept under seal. If necessary, the parties and nonparty C&S Wholesale Grocers, LLC may move to seal or unseal additional information in the opinion and order on the preliminary injunction, ECF 521 , by 1:00 p.m. on December 11, 2024. Ordered by Judge Adrienne Nelson. (joha) (Entered: 12/10/2024)
12/10/2024	523	ORDER: The unopposed motions to seal, ECF 493 , 495 , and 497 , are GRANTED. Ordered by Judge Adrienne Nelson. (joha) (Entered: 12/10/2024)
12/10/2024	524	(DOCUMENT FILED UNDER SEAL) OPINION & ORDER: Plaintiffs are likely to succeed on the merits and the equities weigh in favor of an injunction. Accordingly, plaintiffs' motion for preliminary injunction is GRANTED. The proposed merger between defendants Kroger Company and Albertsons Companies, Inc. is enjoined pending the outcome of the administrative proceedings before the Federal Trade Commission. Signed on 12/10/2024 by Judge Adrienne Nelson. (joha) (Entered: 12/10/2024)

