PUBLIC

FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

NOTICE OF APPEARANCE

CASE NAME	FILE/DOCKET NUMBER
The Kroger Company and Albertsons Companies, Inc.	D09428

Pursuant to Section 4.1 of the Commission's Rules of Practice, I (we) am (are) entering in the above proceeding the appearance of

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

1. COUNSEL OR REPRESENTATIVE

Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding,

David W. Kesselman
dkesselman@kbslaw.com
Abiel Garcia
agarcia@kbslaw.com

Kesselman Brantly Stockinger LLP
1230 Rosecrans Ave., Suite 400
Manhattan Beach, CA 90266
310-307-4555

2. RESPONDENT(S) OR THIRD PARTY(IES)

Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.

Stater Bros. Markets
301 S. Tippecanoe Ave.
San Bernardino, CA 92408
855-782-8377

3. ASSOCIATE/ASSISTANT DIRECTOR

4. SIGNATURE OF SENIOR COUNSEL

/s/ David W. Kesselman

5. DATE SIGNED

04/12/2024

Return this form to:

Federal Trade Commission
Room H-113
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

PUBLIC

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

In the Matter of **The Kroger Company,** **and** **Albertsons Companies, Inc.,** **Respondents.**	**Docket No. D-9428**

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

In connection with the Notice of Appearance filed on this day, April 11, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bar of the State of California (State Bar No. 203838). As requested by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

April 12, 2024

Respectively Submitted

/s/ Davd W. Kesselman
Kesselman Brantly Stockinger LLP
1230 Rosecrans Ave., Suite 400
Manhattan Beach, CA 90266
Telephone: 310-307-4555
dkesselman@kbslaw.com

PUBLIC

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

In the Matter of **The Kroger Company,** **and** **Albertsons Companies, Inc.,** **Respondents.**	**Docket No. D-9428**

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

In connection with the Notice of Appearance filed on this day, April 11, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bar of the State of California (State Bar No. 289052). As requested by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

April 12, 2024

Respectively Submitted

/s/ Abiel Garcia
Kesselman Brantly Stockinger LLP
1230 Rosecrans Ave., Suite 400
Manhattan Beach, CA 90266
Telephone: 310-307-4555
agarcia@kbslaw.com

PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2024, I filed the foregoing document electronically using the Federal Trade Commission's e-filing system, which will send notification of such filing to:

April Tabor Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, D.C. 20580
ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell
Administrative Law Judge Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, D.C. 20580
OALJ@ftc.com

I also certify that I caused the foregoing document to be served via email to:

Complaint Counsel
Charles Dickinson
James H. Weingarten
Emily Blackburn
Paul Frangie
Laura Hall
Janet Kim
Kenneth A. Libby
Eric Olson
Rohan Pai
Harris Rothman
Albert Teng
Elizabeth Arens
Jacob Hamburger
Joshua Smith
Katherine Bies
Lily E. Hough
Katharine Drummonds
Alexander J. Bryson
Anjelica Sarmiento
Guia Dixon
Theodore Zang, Jr.
Federal Trade Commission
600 Pennsylvania Avenue
NW Washington, D.C. 20580
(202) 326-2289

cdickinson@ftc.gov
jweingarten@ftc.gov
eblackburn@ftc.gov
pfrangie@ftc.gov
lhall1@ftc.gov
jkim3@ftc.gov
klibby@ftc.gov
eolson@ftc.gov
rpai@ftc.gov
hrothman@ftc.gov
ateng@ftc.gov
earens@ftc.gov
jhamburger1@ftc.gov
jsmith3@ftc.gov
kbies@ftc.gov
lhough@ftc.gov
kdrummonds@ftc.gov
abryson@ftc.gov
asarmiento@ftc.gov
gdixon@ftc.gov
tzang@ftc.gov

Counsel for The Kroger Company
Michael B. Bernstein
Matthew Wolf
Sonia Pfaffenroth
Joshua Davis
Michael Kientzle
Jason Ewart
Yasmine Harik
Christina Cleveland
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Ave, NW
Washington, DC 20001
Telephone: (202) 942-5227
michael.b.bernstein@arnoldporter.com
matthew.wolf@arnoldporter.com
sonia.pfaffenroth@arnoldporter.com
joshua.davis@arnoldporter.com
michael.kientzle@arnoldporter.com
jason.ewart@arnoldporter.com
yasmine.harik@arnoldporter.com

John Holler
Arnold & Porter Kaye Scholer LLP
250 West 55th Street

New York, NY 10019
Telephone: (212) 836-7739
john.holler@arnoldporter.com

Mark Perry
Luke Sullivan
Weil, Gotshal & Manges LLP
2001 M Street, NW, Suite 600
Washington, DC 20036
Telephone: (202) 682-7511
mark.perry@weil.com
luke.sullivan@weil.com

Luna Barrington
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
Telephone: (212) 310-8421
luna.barrington@weil.com

Bambo Obaro
Weil, Gotshal & Manges LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3083
bambo.obaro@weil.com

Counsel for Respondent Albertsons Companies, Inc.
Edward Hassi
Debevoise & Plimpton LLP
801 Pennsylvania Avenue,
NW Washington, DC 20004
Telephone: (202) 383-8135
thassi@debevoise.com

Michael Schaper
Shannon R. Selden
J. Robert Abraham
Natascha Born
Jaime Freilich-Fried
Marieugenia Cardenas
Tom E. Buckley
Heather T. Mehler
Marie Ventimiglia
Debevoise & Plimpton LLP
66 Hudson Boulevard
New York, NY 10001

Telephone: (212) 909-6737
mschaper@debevoise.com
srselden@debevoise.com
jrabraham@debevoise.com
nborn@debevoise.com
jmfried@debevoise.com
mcardena@debevoise.com
tebuckley@debevoise.com
htmehler@debevoise.com
msventim@debevoise.com

Mike Cowie
James Fishkin
Dechert LLP 1900 K Street, NW
Washington, DC 20006
Telephone: (202) 261-3339
mike.cowie@dechert.com
james.fishkin@dechert.com

Thomas Miller
Dechert LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104
Telephone: (215) 994-2906
thomas.miller@dechert.com

George L. Paul
White & Case LLP
701 13th Street, NW
Washington, DC 20005
Telephone: (202) 626-3656
gpaul@whitecase.com

Respectfully submitted,

/s/ David W. Kesselman

David W. Kesselman
(dkesselman@kbslaw.com)
Abiel Garcia (agarcia@kbslaw.com)
1230 Rosecrans Ave., Suite 400
Manhattan Beach, CA. 90266
T: 310-307-4555

KESSELMAN BRANTLY STOCKINGER LLP
Counsel for Non-Party Stater Bros. Markets