

FEDERAL TRADE COMMISSION  
 WASHINGTON, D.C. 20580

# NOTICE OF APPEARANCE



<b>CASE NAME</b>	<b>FILE/DOCKET NUMBER</b>
In the Matter of The Kroger Company and Albertsons Companies, Inc.	Docket No. 9428

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

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

1. COUNSEL OR REPRESENTATIVE	2. RESPONDENT(S) OR THIRD PARTY(IES)
<p>Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding.</p> <div style="border: 1px solid black; padding: 5px;">                     Max Doherty                      MCDERMOTT WILL &amp; EMERY LLP                      200 Clarendon Street, Floor 58                      Boston, Massachusetts 02116-5021                      Telephone: +1 (617) 535-4073                      Facsimile: +1 (617) 535-3800                      mdoherty@mwe.com                 </div>	<p>Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.</p> <div style="border: 1px solid black; padding: 5px;">                     Bain &amp; Company, Inc.                      131 Dartmouth Street                      Boston, Massachusetts 02116                      +1 (617) 572-2000                 </div>

**3. ASSOCIATE/ASSISTANT DIRECTOR**

<b>4. SIGNATURE OF SENIOR COUNSEL</b>	<b>5. DATE SIGNED</b>
/s/ Max Doherty	7/11/2024

**Return this form to:** Federal Trade Commission  
 Room H-113  
 600 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20580

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

In the Matter of

The Kroger Company  
a corporation,

And

Albertsons Companies, Inc.  
a corporation,

Respondents

Docket No. 9428

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

In connection with the Notice of Appearance filed on July 11, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Federal Trade Commission as a member of the Bar of the State of Massachusetts (#713020). 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.

/s/ Max Doherty

Max Doherty

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**CERTIFICATE OF SERVICE AND ELECTRONIC FILING**

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

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

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

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

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James H. Weingarten  
Emily Blackburn  
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Dated: July 11, 2024  
Boston, Massachusetts

/s/ Max Doherty  
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