

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

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

ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME

On July 22, 2024, Federal Trade Commission (“FTC”) Complaint Counsel and Respondents The Kroger Company and Albertsons Companies, Inc. filed a joint motion for an extension of time in which to file their pretrial briefs (“Joint Motion”). Under the May 20, 2024 Scheduling Order issued in this case, Complaint Counsel’s pretrial brief is due July 22, 2024 and Respondents’ pretrial brief is due July 29, 2024. The parties seek a two-day extension, until July 24, 2024 and July 31, 2024, respectively.

The Joint Motion states that due to disruptions caused by the recent problems with the cloud computing service CrowdStrike, several of Complaint Counsel’s staff’s laptops have been rendered completely unusable, including laptops used by attorneys with primary drafting responsibilities for Complaint Counsel’s brief, and that replacement laptops cannot be delivered until July 23, 2024 at the earliest. The assertions in the Joint Motion are supported by a declaration of Susan Musser, Complaint Counsel of record in this matter.

Based on the foregoing, there is good cause to extend the deadlines for the submission of pretrial briefs. Accordingly, the Joint Motion is GRANTED and it is hereby ORDERED that the deadlines in the Scheduling Order for submission of pretrial briefs are extended as follows:

July 24, 2024 - Complaint Counsel files pretrial brief supported by legal authority.

July 31, 2024 - Respondents file pretrial briefs supported by legal authority.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: July 22, 2024