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**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Andrew N. Ferguson, Chairman**
 Melissa Holyoak

In the Matter of

Caremark Rx, LLC,

Zinc Health Services, LLC,

Express Scripts, Inc.,

Evernorth Health, Inc.,

Medco Health Services, Inc.,

Ascent Health Services LLC,

OptumRx, Inc.,

OptumRx Holdings, LLC, and

Emisar Pharma Services LLC,

Respondents.

Docket No. 9437

JOINT EXPEDITED MOTION TO STAY
THE PART 3 ADJUDICATIVE PROCEEDING

Complaint Counsel and Respondents Caremark Rx, LLC, Zinc Health Services, LLC, Express Scripts, Inc., Evernorth Health, Inc., Medco Health Services, Inc., Ascent Health Services, LLC, OptumRx, Inc., OptumRx Holdings, LLC, and Emisar Pharma Services LLC (collectively, “the parties”) jointly request to stay the Part 3 administrative proceeding and enter the Proposed Order by April 1, 2025. The parties waive their right to Commission review of this motion pursuant to 16 C.F.R. § 0.7(b), and the General Counsel therefore has authority to rule on this motion under that Rule.

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As grounds for this request, the parties state the following:

1. On September 20, 2024, the Federal Trade Commission voted 3-0 to issue this administrative complaint against Respondents. Chair Lina Khan and Commissioners Rebecca Slaughter and Alvaro Bedoya voted in favor of issuing the complaint. Commissioners Melissa Holyoak and Andrew Ferguson were recused and did not participate in the vote.
2. On January 31, 2025, Lina Khan resigned from her position as an FTC Commissioner.
3. On March 18, 2025, the Trump Administration informed Commissioners Slaughter and Bedoya that they have been removed from the Federal Trade Commission, effective immediately.
4. As a consequence of these events, there are currently no sitting Commissioners able to participate in this matter.
5. An expedited resolution of this motion is necessary due to depositions scheduled to begin as early as April 9, 2025.

For the forgoing reasons, the parties jointly request to stay the Part 3 adjudicative proceeding and enter the Proposed Order by April 1, 2025.

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Dated: March 31, 2025

Respectfully submitted,

/s/ Rebecca L. Egeland

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[PROPOSED] ORDER

Upon the parties' Joint Expedited Motion to Stay the Part 3 Adjudicative Proceeding, IT IS HEREBY ORDERED that the Motion is GRANTED.

The Part 3 Adjudicative Proceeding is hereby stayed. This stay shall remain in effect for a minimum of 105 days. After 105 days, the stay may be lifted by the Commission upon motion by one or more of the parties in the proceeding. The parties will engage in good faith discussions on any proposed timing on when the stay would be lifted and the ultimate hearing date. Upon one or

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more parties filing a motion to lift the stay, the parties will engage in good faith discussions on scheduling fact depositions.

IT IS FURTHER ORDERED that the date of the evidentiary hearing shall be set 225 days from the date the stay is lifted.

By the Commission, pursuant to the authority delegated to the General Counsel by 16 C.F.R. § 0.7(b), Chairman Ferguson and Commissioner Holyoak recused.

Dated: _____

April J. Tabor,
Secretary

PUBLIC**CERTIFICATE OF SERVICE**

I hereby certify that on March 31, 2025, I caused the foregoing document to be filed electronically using the FTC's E-Filing System, which will send notification of such filing to:

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The Honorable D. Michael Chappell
Chief Administrative Law Judge
Federal Trade Commission
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*Secretary of the Commission
Clerk of the Court*

Administrative Law Judge

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

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