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U.S. District Court District of Columbia (Washington, DC) **CIVIL DOCKET FOR CASE #: 1:19-cv-02337-TJK**

FEDERAL TRADE COMMISSION v. RAG-STIFTUNG et al

Assigned to: Judge Timothy J. Kelly

Cause: 15:53b Federal Trade Commission Act

Date Filed: 08/02/2019 Date Terminated: 03/27/2020

Jury Demand: None

Nature of Suit: 410 Anti-Trust

Jurisdiction: U.S. Government Plaintiff

Plaintiff

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|------------|----------|--|
| 08/02/2019 | 1 | COMPLAINT against EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC, RAG-STIFTUNG filed by FEDERAL TRADE COMMISSION. (Attachments: # 1 Civil Cover Sheet, # 2 Attachments - Notice of a Lawsuit and Request to Waive Service of a Summons) (tth) (Entered: 08/02/2019) |
| 08/02/2019 | <u>2</u> | MOTION for Entry of Stipulated Temporary Restraining Order by FEDERAL TRADE COMMISSION. (Attachments: # 1 Exhibit - Attachment C, # 2 Text of Proposed Order) (tth) (Entered: 08/02/2019) |
| 08/02/2019 | <u>3</u> | MOTION for Preliminary Injunction by FEDERAL TRADE COMMISSION. (Attachment: # 1 Text of Proposed Order) (tth) (Entered: 08/02/2019) |
| 08/02/2019 | 4 | MOTION for Protective Order by FEDERAL TRADE COMMISSION. (Attachment: # 1 Text of Proposed Order) (tth) (Entered: 08/02/2019) |
| 08/02/2019 | | MINUTE ORDER: It is hereby ORDERED that the parties shall appear telephonically for a status conference on August 5, 2019, at 1:00 p.m. Plaintiff's counsel shall notify Defendants' counsel of the status conference, and the parties shall contact the Courtroom Deputy at (202) 354-3495 to make arrangements to appear telephonically. Signed by Judge Timothy J. Kelly on 8/2/2019. (lctjk3) (Entered: 08/02/2019) |
| 08/02/2019 | | SUMMONS Not Issued as to EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC, RAG-STIFTUNG. (tth) (Entered: 08/02/2019) |
| 08/02/2019 | <u>5</u> | NOTICE of Appearance by Eric J. Mahr on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Mahr, Eric) (Entered: 08/02/2019) |
| 08/02/2019 | <u>6</u> | NOTICE of Appearance by Andrew J. Ewalt on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Ewalt, Andrew) (Entered: 08/02/2019) |
| 08/05/2019 | 7 | NOTICE of Appearance by Amy Elyse Dobrzynski on behalf of FEDERAL TRADE COMMISSION (Dobrzynski, Amy) (Entered: 08/05/2019) |
| 08/05/2019 | 8 | NOTICE of Appearance by Daniel John Matheson on behalf of FEDERAL TRADE COMMISSION (Matheson, Daniel) (Entered: 08/05/2019) |
| 08/05/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Telephone Status Conference held on 8/5/2019. Order to be issued by the court. (Court Reporter: Timothy Miller) (kh) (Entered: 08/05/2019) |
| 08/05/2019 | 9 | ORDER granting Plaintiff's 2 Motion for Entry of Stipulated Temporary Restraining Order. See Order for details. Signed by Judge Timothy J. Kelly on 8/5/2019. (lctjk2) (Entered: 08/05/2019) |
| 08/05/2019 | 10 | PROTECTIVE ORDER. See Order for details. Signed by Judge Timothy J. Kelly on |

| 08/06/2019 | 12 13 14 | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EVONIK INDUSTRIES AG (Mahr, Eric) (Entered: 08/06/2019) LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EVONIK INTERNATIONAL HOLDING B.V. (Mahr, Eric) (Entered: 08/06/2019) LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EVONIK CORPORATION (Mahr, Eric) (Entered: 08/06/2019) NOTICE of Appearance by Michael G. Cowie on behalf of LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Cowie, Michael) (Entered: 08/06/2019) NOTICE of Appearance by James A. Fishkin on behalf of LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., |
|------------|----------------|---|
| 08/06/2019 | 13 14 | Interests by EVONIK INTERNATIONAL HOLDING B.V. (Mahr, Eric) (Entered: 08/06/2019) LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EVONIK CORPORATION (Mahr, Eric) (Entered: 08/06/2019) NOTICE of Appearance by Michael G. Cowie on behalf of LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Cowie, Michael) (Entered: 08/06/2019) NOTICE of Appearance by James A. Fishkin on behalf of LEXINGTON CAPITAL |
| | 14 | Interests by EVONIK CORPORATION (Mahr, Eric) (Entered: 08/06/2019) NOTICE of Appearance by Michael G. Cowie on behalf of LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Cowie, Michael) (Entered: 08/06/2019) NOTICE of Appearance by James A. Fishkin on behalf of LEXINGTON CAPITAL |
| 08/06/2019 | | PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Cowie, Michael) (Entered: 08/06/2019) NOTICE of Appearance by James A. Fishkin on behalf of LEXINGTON CAPITAL |
| | <u>15</u> | |
| 08/06/2019 | | ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Fishkin, James) (Entered: 08/06/2019) |
| 08/06/2019 | <u>16</u> | NOTICE of Appearance by Shari Ross Lahlou on behalf of LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Ross Lahlou, Shari) (Entered: 08/06/2019) |
| 08/06/2019 | 17 | NOTICE of Appearance by Brian E. Rafkin on behalf of LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Rafkin, Brian) (Entered: 08/06/2019) |
| 08/06/2019 | <u>18</u> | NOTICE of Appearance by Anna Revathy Aryankalayil on behalf of LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Aryankalayil, Anna) (Entered: 08/06/2019) |
| 08/06/2019 | 19 | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Blair W. Kuykendall, :Firm- Dechert LLP, :Address- 1900 K Street, NW, Washington, DC, United States of America 20006-1110. Phone No 202-261-3423. Fax No 202-261-3333 Filing fee \$ 100, receipt number 0090-6304610. Fee Status: Fee Paid. by LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Attachments: # 1 Exhibit Declaration, # 2 Exhibit Proposed Order)(Cowie, Michael) (Entered: 08/06/2019) |
| 08/07/2019 | | MINUTE ORDER granting Defendants' 19 Motion for Leave to Appear Pro Hac Vice. It |

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| | | is hereby ORDERED that Defendants' motion is GRANTED. Attorney Blair W. Kuykendall is admitted pro hac vice in this matter. Signed by Judge Timothy J. Kelly on 8/7/2019. (lctjk2) (Entered: 08/07/2019) |
| 08/08/2019 | <u>20</u> | Joint MOTION for Scheduling Order by FEDERAL TRADE COMMISSION (Attachments: # 1 Text of Proposed Order)(Rhilinger, James) (Entered: 08/08/2019) |
| 08/12/2019 | | MINUTE ORDER granting the parties' 20 Joint Motion for Case Management and Scheduling Order. It is hereby ORDERED that the parties' motion is GRANTED. The Court will separately enter the requested Order, with appropriate amendments made by the Court reflected in paragraphs 21, 22, 24, 32, 36, and 37. Signed by Judge Timothy J. Kelly on 8/12/2019. (lctjk2) (Entered: 08/12/2019) |
| 08/12/2019 | <u>21</u> | CASE MANAGEMENT AND SCHEDULING ORDER. See Order for details. Signed by Judge Timothy J. Kelly on 8/12/2019. (lctjk2) (Entered: 08/12/2019) |
| 08/16/2019 | 22 | ANSWER to 1 Complaint,, by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG.(Mahr, Eric) (Entered: 08/16/2019) |
| 08/16/2019 | 23 | ANSWER to 1 Complaint,, by LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC.(Cowie, Michael) (Entered: 08/16/2019) |
| 08/16/2019 | 24 | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Cowie, Michael) (Entered: 08/16/2019) |
| 08/30/2019 | <u>25</u> | NOTICE of Appearance by Michael T. Blevins on behalf of FEDERAL TRADE COMMISSION (Blevins, Michael) (Entered: 08/30/2019) |
| 08/30/2019 | <u>26</u> | NOTICE of Appearance by Steven Andrew Dahm on behalf of FEDERAL TRADE COMMISSION (Dahm, Steven) (Entered: 08/30/2019) |
| 08/30/2019 | 27 | NOTICE of Appearance by Sean D. Hughto on behalf of FEDERAL TRADE COMMISSION (Hughto, Sean) (Entered: 08/30/2019) |
| 08/30/2019 | 28 | NOTICE of Appearance by Frances Anne Johnson on behalf of FEDERAL TRADE COMMISSION (Johnson, Frances Anne) (Entered: 08/30/2019) |
| 08/30/2019 | <u>29</u> | NOTICE of Appearance by Stephen Michael Santulli on behalf of FEDERAL TRADE COMMISSION (Santulli, Stephen) (Entered: 08/30/2019) |
| 08/30/2019 | 30 | NOTICE of Appearance by Cecelia Marie Waldeck on behalf of FEDERAL TRADE COMMISSION (Waldeck, Cecelia) (Entered: 08/30/2019) |
| 08/30/2019 | 31 | NOTICE of Appearance by Michael Joseph Lovinger on behalf of FEDERAL TRADE COMMISSION (Lovinger, Michael) (Entered: 08/30/2019) |
| 09/04/2019 | 32 | TRANSCRIPT OF STATUS CONFERENCE before Judge Timothy J. Kelly held on 8-5-19; Page Numbers: 1-11; Date of Issuance: 9-4-19; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form <p></p> For the first 90 days after this filing date, the transcript may be viewed at the |
| | | href="http://www.dcd.uscourts.gov/node/110">Transcript Order Form <p></p> |

| | | courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<p></p> Redaction Request due 9/25/2019. Redacted Transcript Deadline set for 10/5/2019. Release of Transcript Restriction set for 12/3/2019.(Miller, Timothy) (Entered: 09/04/2019)</p> |
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| 09/09/2019 | 33 | NOTICE of Appearance by Dominic Vote on behalf of FEDERAL TRADE COMMISSION (Vote, Dominic) (Entered: 09/09/2019) |
| 09/09/2019 | 34 | NOTICE of Appearance by James H. Weingarten on behalf of FEDERAL TRADE COMMISSION (Weingarten, James) (Entered: 09/09/2019) |
| 09/10/2019 | 35 | NOTICE of Appearance by Laura Bradshaw Collins on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Collins, Laura) (Entered: 09/10/2019) |
| 09/10/2019 | <u>36</u> | NOTICE of Appearance by Laura C. Onken on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Onken, Laura) (Entered: 09/10/2019) |
| 09/10/2019 | 37 | NOTICE of Appearance by Jan Martin Rybnicek on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Rybnicek, Jan) (Entered: 09/10/2019) |
| 09/10/2019 | 38 | NOTICE of Appearance by Justin Stewart-Teitelbaum on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Stewart-Teitelbaum, Justin) (Entered: 09/10/2019) |
| 09/10/2019 | 39 | NOTICE of Appearance by Charles James Ramsey on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Ramsey, Charles) (Entered: 09/10/2019) |
| 09/10/2019 | 40 | NOTICE of Appearance by Sarah Michelle Melanson on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Melanson, Sarah) (Entered: 09/10/2019) |
| 09/16/2019 | 41 | NOTICE of Appearance by Steven Reaves Couper on behalf of FEDERAL TRADE COMMISSION (Couper, Steven) (Entered: 09/16/2019) |
| 09/19/2019 | 42 | NOTICE of Appearance by Terry M. Thomas on behalf of FEDERAL TRADE COMMISSION (Thomas, Terry) (Entered: 09/19/2019) |
| 10/02/2019 | 43 | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Text of Proposed Order, # 2 Memorandum in Support)(Rhilinger, James) (Entered: 10/02/2019) |
| 10/07/2019 | | MINUTE ORDER granting 43 Plaintiff's Sealed Motion to File Memorandum in Support of Motion for Preliminary Injunction and Exhibits Under Seal. It is hereby ORDERED that 43 Plaintiff's Sealed Motion to File Memorandum in Support of Motion for Preliminary Injunction and Exhibits Under Seal is GRANTED upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980). Plaintiff shall promptly notify Defendants and relevant non-parties that its Memorandum |

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| | | contains their confidential information and confer with them in order to file a joint motion for leave to file a redacted version of the Memorandum on the public docket. Signed by Judge Timothy J. Kelly on 10/7/19. (lctjk2) (Entered: 10/07/2019) |
| 10/07/2019 | 44 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re <u>3</u> MOTION for Preliminary Injunction filed by FEDERAL TRADE COMMISSION. (This document is SEALED and only available to authorized persons.) (ztth) (Entered: 10/07/2019) |
| 10/08/2019 | <u>45</u> | NOTICE <i>OF FILING REDACTED DOCUMENT</i> by FEDERAL TRADE COMMISSION re Order on Sealed Motion for Leave to File Document Under Seal,, (Attachments: # 1 Redacted Memorandum in Support of Plaintiff's Motion for Preliminary Injunction)(Rhilinger, James) (Entered: 10/08/2019) |
| 10/08/2019 | <u>46</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 44 Sealed Document (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit)(Rhilinger, James) (Entered: 10/08/2019) |
| 10/08/2019 | 47 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 44 Sealed Document (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit)(Rhilinger, James) (Entered: 10/08/2019) |
| 10/08/2019 | 48 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 44 Sealed Document (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit)(Rhilinger, James) (Entered: 10/08/2019) |
| 10/08/2019 | <u>49</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 44 Sealed Document (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit)(Rhilinger, James) (Entered: 10/08/2019) |
| 10/08/2019 | <u>50</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 44 Sealed Document (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit)(Rhilinger, James) (Entered: 10/08/2019) |
| 10/17/2019 | | MINUTE ORDER: The parties are hereby ORDERED to appear for a status conference on October 22, 2019, at 2:00 PM in Courtroom 11. By October 18, 2019, the parties shall file a joint status report outlining their positions on any issues they wish to address at the |

| | | conference. It is FURTHER ORDERED that the parties shall be prepared to discuss whether the exhibits to the FTC's Motion for Preliminary Injunction should remain sealed, in whole or in part, under the factors set forth in United States v. Hubbard, 650 F.2d 293, 31722 (D.C. Cir. 1980). Signed by Judge Timothy J. Kelly on 10/17/19. (lctjk2) (Entered: 10/17/2019) |
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| 10/18/2019 | <u>51</u> | Joint STATUS REPORT by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG. (Mahr, Eric) (Entered: 10/18/2019) |
| 10/22/2019 | <u>52</u> | ENTERED IN ERRORNOTICE of Position Concerning Confidentiality of Exhibits to FTC's Memorandum in Support of Its Motion for Preliminary Injunction by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Ewalt, Andrew); Modified on 10/23/2019 (ztth). (Entered: 10/22/2019) |
| 10/22/2019 | <u>53</u> | NOTICE of Appearance by Sarah Marie Caruana on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Caruana, Sarah) (Entered: 10/22/2019) |
| 10/22/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Status Conference held on 10/22/2019. Outstanding issues addressed and taken under advisement. (Court Reporter: Timothy Miller) (zkh) (Entered: 10/22/2019) |
| 10/23/2019 | | NOTICE OF ERROR re 52 Notice (Other); emailed to andrew.ewalt@freshfields.com, cc'd 37 associated attorneys The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. Please refile document, 3. Attorney login and signature must match. (ztth,) (Entered: 10/23/2019) |
| 10/23/2019 | <u>54</u> | NOTICE of Position Concerning Confidentiality of Exhibits to FTC's Memorandum in Support of its Motion for Preliminary Injunction by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Mahr, Eric) (Entered: 10/23/2019) |
| 10/23/2019 | 55 | NOTICE <i>OF FILING OF PUBLIC EXHIBITS</i> by FEDERAL TRADE COMMISSION re 45 Notice (Other), (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit)(Rhilinger, James) (Entered: 10/23/2019) |
| 10/23/2019 | | MINUTE ORDER: Upon consideration of the parties' 51 joint status report and arguments at the October 22, 2019, status conference, it is hereby ORDERED that Defendants' request to exclude three categories of evidence is DENIED. Although the Federal Rules of Evidence do not apply to preliminary injunction hearings, in weighing the evidence proffered by the parties, the Court will consider the manner in which the evidence is presented, whether a foundation for the evidence has been laid, and whether the circumstances otherwise suggest that the evidence is relevant and sufficiently reliable. Signed by Judge Timothy J. Kelly on 10/23/19. (lctjk2) (Entered: 10/23/2019) |
| 10/25/2019 | <u>56</u> | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Defendants' Memorandum in Opposition, # 2 Defendants' Exhibits Part 1, # 3 Defendants' Exhibits Part 2, # 4 Defendants' Exhibits Part 3, # 5 Defendants' Exhibits Part 4, # 6 Defendants' Exhibits Part 5, # 7 Defendants' Exhibits Part 6, # 8 Defendants' Exhibits Part 7, # 9 Text of Proposed Order, # 10 Certificate of Service)(Mahr, Eric) (Entered: 10/25/2019) |
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| 10/25/2019 | 57 | NOTICE of Public Filing by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Defendants' Exhibit DX 140, # 2 Defendants' Exhibit DX 141, # 3 Defendants' Exhibit DX 268, # 4 Defendants' Exhibit DX 308, # 5 Defendants' Exhibit DX 324, # 6 Certificate of Service)(Mahr, Eric) (Entered: 10/25/2019) |
| 10/31/2019 | <u>58</u> | ORDER governing the procedures for filing third party motions requesting in camera treatment pursuant to Paragraph 10 of the 10 Protective Order. The parties are responsible for serving this Order, as soon as practicable, on all third parties to whom they have provided notice pursuant to Paragraph 10. Signed by Judge Timothy J. Kelly on 10/31/19. (lctjk2) (Entered: 10/31/2019) |
| 10/31/2019 | <u>59</u> | MOTION to Quash FTC's Subpoena to Appear for Live Testimony by JONATHAN CUMMINS (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Text of Proposed Order)(Yergin, Rebecca) (Entered: 10/31/2019) |
| 11/01/2019 | | MINUTE ORDER: In preparation for the preliminary injunction hearing, it is hereby ORDERED that no later than 5:00 PM on the day before each hearing day, the parties shall provide chambers with two copies of a joint binder containing the exhibits to be presented the following day. Signed by Judge Timothy J. Kelly on 11/1/19. (lctjk2) (Entered: 11/01/2019) |
| 11/01/2019 | <u>60</u> | NOTICE of Appearance by Justin C. Simeone on behalf of EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Simeone, Justin) (Entered: 11/01/2019) |
| 11/04/2019 | 61 | SEALED MOTION filed by PROCTER AND GAMBLE COMPANY (Attachments: # 1 Exhibit Exhibit #1, # 2 Exhibit Exhibit #2, # 3 Text of Proposed Order Proposed Order, # 4 Certificate of Service Certificate of Service)(Crovetto, Alisha) (Entered: 11/04/2019) |
| 11/04/2019 | <u>62</u> | SEALED MOTION filed by CHS INC. (Attachments: # 1 Memorandum in Support, # 2 Affidavit with exhibits)(Yaffe, Eric) (Entered: 11/04/2019) |
| 11/04/2019 | <u>63</u> | NOTICE of Appearance by Robert Day on behalf of JONATHAN CUMMINS, UNITED INITIATORS GMBH (Day, Robert) (Entered: 11/04/2019) |
| 11/04/2019 | <u>64</u> | NOTICE of Appearance by Rebecca Isabella Yergin on behalf of JONATHAN CUMMINS, UNITED INITIATORS GMBH (Yergin, Rebecca) (Entered: 11/04/2019) |
| 11/04/2019 | <u>65</u> | SEALED MOTION filed by CANFOR CORPORATION (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2, # 3 Attachment 1, # 4 Attachment 2, # 5 Attachment 3, # 6 Attachment 4, # 7 Attachment 5, # 8 Attachment 6)(Morante, Paolo) (Entered: 11/04/2019) |
| 11/04/2019 | <u>66</u> | NOTICE of Appearance by Jonathan L Lewis on behalf of ARKEMA INC. (Lewis, Jonathan) (Main Document 66 replaced on 11/5/2019) (ztth). (Entered: 11/04/2019) |
| 11/04/2019 | <u>67</u> | SEALED MOTION filed by UNITED INITIATORS GMBH (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, # 12 Text of Proposed Order) (Day, Robert) (Entered: 11/04/2019) |
| 11/04/2019 | <u>68</u> | SEALED MOTION filed by GRAPHIC PACKAGING INTERNATIONAL, INC. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit Exhibit Lists, # 3 Exhibit GPI confidential emails, # 4 Exhibit GPI confidential emails, # 5 Exhibit GPI confidential letter, # 6 Exhibit GPI Employee Declaration, # 7 Exhibit Deposition Transcript Excerpts, # 8 Exhibit GPI confidential emails, # 9 Exhibit GPI confidential emails, # 10 Exhibit GPI confidential emails, # 11 Exhibit GPI confidential emails, # 12 Exhibit GPI confidential emails, # 13 Exhibit GPI confidential emails, # 14 Exhibit GPI confidential |

| | | emails, # 15 Exhibit GPI confidential emails, # 16 Exhibit GPI confidential emails, # 17 Exhibit GPI confidential emails, # 18 Exhibit GPI Employee Declaration)(McCalmon, Brian) (Entered: 11/04/2019) |
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| 11/04/2019 | 69 | SEALED MOTION filed by ARKEMA INC. (Attachments: # 1 Memorandum in Support Motion to Seal, # 2 Exhibit A - Myrick Declaration, # 3 Exhibit A-1, # 4 Exhibit A-2, # 5 Exhibit A-3, # 6 Exhibit A-4, # 7 Exhibit A-5, # 8 Exhibit A-6, # 9 Exhibit A-7, # 10 Exhibit A-8, # 11 Exhibit A-9, # 12 Exhibit A-10, # 13 Exhibit A-11, # 14 Exhibit A-12, # 15 Exhibit A-13, # 16 Exhibit A-14, # 17 Exhibit A-15, # 18 Exhibit A-16, # 19 Exhibit A-17, # 20 Text of Proposed Order)(Lewis, Jonathan) (Entered: 11/04/2019) |
| 11/04/2019 | 70 | SEALED MOTION filed by VERSO CORPORATION (Attachments: # 1 Declaration, # 2 Exhibit Exhibits A-V, # 3 Text of Proposed Order, # 4 Certificate of Service)(Van Vuren, Anthony) (Entered: 11/04/2019) |
| 11/04/2019 | 71 | SEALED MOTION filed by Solvay USA Inc. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit)(Thatch, Christopher) (Entered: 11/04/2019) |
| 11/04/2019 | 72 | SEALED MOTION filed by FEDERAL TRADE COMMISSION (Attachments: # 1 Text of Proposed Order, # 2 Memorandum in Support, # 3 Exhibit)(Rhilinger, James) (Entered: 11/04/2019) |
| 11/04/2019 | 73 | SEALED MOTION filed by Univar Solutions (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E, # 6 Exhibit Exhibit F, # 7 Text of Proposed Order)(Ventura, Catie) (Entered: 11/04/2019) |
| 11/04/2019 | 74 | SEALED MOTION filed by MGC Pure Chemicals America, Inc. (Attachments: # 1 Declaration of Scott Hancock, # 2 Exhibit A - MPCA-Related Exhibits Identifying Material for In Camera Treatment)(Dutra, Jeremy) (Entered: 11/04/2019) |
| 11/04/2019 | <u>75</u> | NOTICE of Appearance by Wendy Katharine Arends on behalf of HARCROS CHEMICALS INC. (Arends, Wendy) (Entered: 11/04/2019) |
| 11/04/2019 | 76 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 72 SEALED MOTION filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit, # 32 Exhibit, # 33 Exhibit, # 34 Exhibit, # 35 Exhibit, # 36 Exhibit, # 37 Exhibit, # 38 Exhibit, # 39 Exhibit, # 40 Exhibit, # 41 Exhibit, # 42 Exhibit, # 43 Exhibit, # 44 Exhibit, # 45 Exhibit, # 46 Exhibit, # 47 Exhibit, # 48 Exhibit, # 49 Exhibit, # 50 Exhibit, # 51 Exhibit, # 52 Exhibit, # 53 Exhibit, # 54 Exhibit, # 55 Exhibit, # 56 Exhibit, # 57 Exhibit)(Rhilinger, James) (Entered: 11/04/2019) |
| 11/04/2019 | 77 | SEALED MOTION filed by NOURYON PULP AND PERFORMANCE CHEMICALS LLC (Attachments: # 1 Exhibit A-1, # 2 Exhibit A-2, # 3 Exhibit A-3, # 4 Exhibit A-4, # 5 Exhibit A-5, # 6 Exhibit A-6, # 7 Exhibit A-7, # 8 Exhibit A-8, # 9 Exhibit A-9, # 10 Exhibit A-10, # 11 Exhibit B)(Cross, David) (Entered: 11/04/2019) |
| 11/04/2019 | <u>78</u> | SEALED MOTION filed by HARCROS CHEMICALS INC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Text of Proposed Order)(Arends, Wendy) (Entered: 11/04/2019) |
| 11/04/2019 | <u>79</u> | SEALED MOTION filed by USP TECHNOLOGIES (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, # 12 Exhibit 12, # 13 Exhibit |

| 11/2020 | | District of Columbia live database |
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| | | 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Text of Proposed Order)(Lange, Perry) (Entered: 11/04/2019) |
| 11/04/2019 | 80 | SEALED MOTION filed by INTERNATIONAL PAPER COMPANY (Attachments: # 1 Memorandum in Support of Motion for In Camera Treatment, # 2 Declaration of Noelle Shirley, # 3 Exhibit 1, # 4 Exhibit 2, # 5 Exhibit 3, # 6 Exhibit 4, # 7 Exhibit 5, # 8 Exhibit 6, # 9 Exhibit 7, # 10 Exhibit 8, # 11 Exhibit 9, # 12 Exhibit 10, # 13 Exhibit 11, # 14 Exhibit 12, # 15 Exhibit 13, # 16 Exhibit 14, # 17 Exhibit 15, # 18 Exhibit 15R, # 19 Exhibit 16, # 20 Exhibit 17, # 21 Exhibit 18, # 22 Exhibit 19, # 23 Exhibit 20, # 24 Exhibit 21, # 25 Exhibit 22, # 26 Text of Proposed Order, # 27 Certificate of Service) (Hay, Daniel) (Entered: 11/04/2019) |
| 11/04/2019 | 81 | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by USP TECHNOLOGIES (Lange, Perry) (Entered: 11/04/2019) |
| 11/04/2019 | 82 | SEALED MOTION filed by WestRock Company (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Text of Proposed Order)(Benner, Kathleen) (Entered: 11/04/2019) |
| 11/04/2019 | 83 | SEALED MOTION filed by LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC (Attachments: # 1 Exhibit Confidential Exhibit 1, # 2 Exhibit Confidential Exhibit 2, # 3 Exhibit Confidential Exhibit 3, # 4 Exhibit Confidential Exhibit 4, # 5 [Proposed] Order)(Aryankalayil, Anna) (Entered: 11/04/2019) |
| 11/04/2019 | 84 | SEALED MOTION filed by FEDERAL TRADE COMMISSION (Attachments: # 1 Text of Proposed Order, # 2 Opposition to Motion to Quash, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit)(Rhilinger, James) (Entered: 11/04/2019) |
| 11/04/2019 | 85 | SEALED MOTION filed by GEORGIA-PACIFIC, LLC (Attachments: # 1 Exhibit A - Highlighted DX 82, # 2 Exhibit B - Highlighted DX 114, # 3 Exhibit C - Highlighted DX 115, # 4 Exhibit D - Highlighted PX 4080, # 5 Exhibit E - Highlighted DX 119, # 6 Exhibit F - Highlighted DX 120, # 7 Exhibit G - Highlighted PX 7014, # 8 Exhibit H - Highlighted DX 418, # 9 Exhibit I - Highlighted PX 4081, # 10 Text of Proposed Order) (Barnaby, Kelley) (Entered: 11/04/2019) |
| 11/04/2019 | 86 | SEALED MOTION filed by Rayonier Advanced Materials Inc. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Text of Proposed Order, # 7 Certificate of Service)(Vasseghi, Roya) (Entered: 11/04/2019) |
| 11/04/2019 | 87 | SEALED MOTION filed by PAPER EXCELLENCE CANADA HOLDINGS CORP. (Attachments: # 1 Exhibit Exhibit A (Proposed Redacted Documents), # 2 Exhibit Exhibit B (Email from J. Simeone), # 3 Exhibit Exhibit C (Email from S. Santulli), # 4 Exhibit Exhibit D (Doughty Motion Declaration))(Gleklen, Jonathan) (Additional attachment(s) added on 11/6/2019: # 5 Text of Proposed Order) (ztth). (Entered: 11/04/2019) |
| 11/04/2019 | 88 | SEALED MOTION filed by Resolute Forest Products Inc. (Attachments: # 1 Declaration of Luke X. Flynn-Fitzsimmons, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Text of Proposed Order)(Synnott, Aidan) (Entered: 11/04/2019) |
| 11/04/2019 | 90 | SEALED MOTION filed by STERIS PLC. (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, |
| | | |

| Memorandum in Opposition to the 3 FTC's Motion for a Preliminary Injunction by POVINK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATION HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Memorandum in Opposition, Certificate of Service)(Mahr, Eric) Modified event, text and added docket entry relationship on 117/2019 (ztth). (Entered: 11/06/2019) SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION (This document is SEALED only available to authorized persons.) (Attachments: # 1 Corrected Opposition to Me to Quash, # 2 Exhibit)(Rhilinger, James) (Entered: 11/06/2019) NOTICE Redacted Filing by FEDERAL TRADE COMMISSION re 91 Sealed Document, (Attachments: # 1 Redacted Opposition to Motion to Quash, # 2 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Redacted Exhibit, # 7 Exhibit, # 2 Exhibit, # 5 Exhibit, # 6 Redacted Exhibit, # 7 Exhibit, # 8 Exhibit, # 5 Exhibit, # 6 Redacted Exhibit, # 7 Exhibit, # 9 Exhibit, # 10 Exhibit) (Rhilinger, James) (Entered: 11/06/2019) | 11/2020 | | District of Columbia live database |
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| EVONIK CORPOR ATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIO HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Memorandum in Opposition, Certificate of Service)(Mahr, Eric) Modified event, text and added docket entry relationship on 11/7/2019 (2tth). (Entered: 11/06/2019) SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 84 SEALED MOTION filed by FEDERAL TRADE COMMISSION (This document is SFALED only available to authorized persons.) (Attachments: # 1 Corrected Opposition to Me to Quash, # 2 Exhibit(Rhilinger, James) (Entered: 11/06/2019) NOTICE Redacted Filing by FEDERAL TRADE COMMISSION re 91 Sealed Document, (Attachments: # 1 Redacted Opposition to Motion to Quash, # 2 Exhibit, Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Redacted Exhibit, # 7 Exhibit, # 8 Exhibit, Exhibit, # 10 Exhibit)(Rhilinger, James) (Entered: 11/06/2019) REPLY to opposition to motion re 59 MOTION to Quash FTC's Subpoena to Appea Live Testimony filed by JONATHAN CUMMINS. (Day, Robert) (Entered: 11/06/20 MINUTE ORDER denying Jonathan Cummins's 59 Motion to Quash FTC's Subpoe Appear for Live Testimony. Mr. Cummins, who lives and works in Tennessee, argue forcing him to testify at a preliminary injunction hearing in person would be a "significant burden" and that presenting his testimony via videotaped deposition sho suffice. Rule 45 instructs district courts to quash a subpoena that "subjects a person' hundue burden." Fed. R. Civ. P. 45(d)(3)(A)(iv). As the movant, Mr. Cummins bears to "heavy burden" of meeting this standard. Northrop Corp. v. McDonnell Douglas Cor 751 F.2d 395, 403 (D.C. Cir. 1984). He has not done so. Mr. Cummins is the Rule 36 (6) witness for a divestiture buyer in an antitrust merger case. He does not contest the company's purchase agreement is material. Rather, he argues that his live testimony would be duplicative of his deposition and would require him to travel to Washingto D.C. immediately after he returns from a trip to China. Neither reason is persuasive. Plaintiff states that Mr. Cummins's testimony is among the m | | | # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9)(zjf) (Entered: 11/06/2019) |
| MOTION filed by FEDERAL TRADE COMMISSION (This document is SEALED only available to authorized persons). (Attachments: #1 Corrected Opposition to Mc to Quash, #2 Exhibit)(Rhilinger, James) (Entered: 11/06/2019) 11/06/2019 22 NOTICE Redacted Filing by FEDERAL TRADE COMMISSION re 91 Sealed Document, (Attachments: #1 Redacted Opposition to Motion to Quash, #2 Exhibit, #4 Exhibit, #4 Exhibit, #5 Exhibit, #6 Redacted Exhibit, #7 Exhibit, #8 Exhibit, #9 Exhibit, #10 Exhibit)(Rhilinger, James) (Entered: 11/06/2019) 11/06/2019 23 REPLY to opposition to motion re 59 MOTION to Quash FTC's Subpoena to Appea Live Testimony filed by JONATHAN CUMMINS. (Day, Robert) (Entered: 11/06/2019) MINUTE ORDER denying Jonathan Cummins's 59 Motion to Quash FTC's Subpoena Appear for Live Testimony. Mr. Cummins, who lives and works in Tennessee, argue forcing him to testify at a preliminary injunction hearing in person would be a "significant burden" and that presenting his testimony via videotaped deposition sho suffice. Rule 45 instructs district courts to quash a subpoena that "subjects a person tundue burden." Fed. R. Civ. P. 45(d)(3)(A)(iv). As the movant, Mr. Cummins bears to "heavy burden" of meeting this standard. Northrop Corp. v. McDonnell Douglas Cor 751 F.2d 395, 403 (D.C. Cir. 1984). He has not done so. Mr. Cummins is the Rule 30 (6) witness for a divestiture buyer in an antitrust merger case. He does not contest the company's purchase agreement is material. Rather, he argues that his live testimony would be duplicative of his deposition and would require him to travel to Washington D.C. immediately after he returns from a trip to China. Neither reason is persuasive. Plaintiff states that Mr. Cummins's testimony is among the most important in the cas that his deposition will not suffice. Second, the use of a videotaped deposition in liet live testimony would be duplicative of his deposition and would require him to travel to Washington, D.C. would not be an "undue burden." See United States v. Anthem, Inc. Civil Action N | 11/06/2019 | 89 | EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Memorandum in Opposition, # 2 Certificate of Service)(Mahr, Eric) Modified event, text and added docket entry |
| Document, (Attachments: # 1 Redacted Opposition to Motion to Quash, # 2 Exhibit, # 2 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Redacted Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit)(Rhilinger, James) (Entered: 11/06/2019) 11/06/2019 23 REPLY to opposition to motion re 59 MOTION to Quash FTC's Subpoena to Appea Live Testimony filed by JONATHAN CUMMINS. (Day, Robert) (Entered: 11/06/201) MINUTE ORDER denying Jonathan Cummins's 59 Motion to Quash FTC's Subpoe Appear for Live Testimony. Mr. Cummins, who lives and works in Tennessee, argue forcing him to testify at a preliminary injunction hearing in person would be a "significant burden" and that presenting his testimony via videotaped deposition sho suffice. Rule 45 instructs district courts to quash a subpoena that "subjects a person t undue burden." Fed. R. Civ. P. 45(d)(3)(A)(iv). As the movant, Mr. Cummins bears i "heavy burden" of meeting this standard. Northrop Corp. v. McDonnell Douglas Cor 751 F.2d 395, 403 (D.C. Cir. 1984). He has not done so. Mr. Cummins is the Rule 36 (6) witness for a divestiture buyer in an antitrust merger case. He does not contest the company's purchase agreement is material. Rather, he argues that his live testimony would be duplicative of his deposition and would require him to travel to Washingto D.C. immediately after he returns from a trip to China. Neither reason is persuasive. Plaintiff states that Mr. Cummins's testimony is among the most important in the case that his deposition will not suffice. Second, the use of a videotaped deposition in liet live testimony would deprive the Court of the opportunity to assess his credibility an question him. Finally, on the record here, requiring Mr. Cummins to travel to Washington, D.C. would not be an "undue burden." See United States v. Anthem. Inc. Civil Action No. 16-1493 (ABJ), 2016 WL 11164033, at *2 n.2 (D.D.C. Dec. 7, 201 For example, he has not argued that others are unable to help cover his duties in his I absence. Nor has he argued that the would have to canc | 11/06/2019 | 91 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re <u>84</u> SEALED MOTION filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Corrected Opposition to Motion to Quash, # <u>2</u> Exhibit)(Rhilinger, James) (Entered: 11/06/2019) |
| Live Testimony filed by JONATHAN CUMMINS. (Day, Robert) (Entered: 11/06/2011/07/2019) MINUTE ORDER denying Jonathan Cummins's 59 Motion to Quash FTC's Subpoe Appear for Live Testimony. Mr. Cummins, who lives and works in Tennessee, argue forcing him to testify at a preliminary injunction hearing in person would be a "significant burden" and that presenting his testimony via videotaped deposition sho suffice. Rule 45 instructs district courts to quash a subpoena that "subjects a person t undue burden." Fed. R. Civ. P. 45(d)(3)(A)(iv). As the movant, Mr. Cummins bears t "heavy burden" of meeting this standard. Northrop Corp. v. McDonnell Douglas Cor 751 F.2d 395, 403 (D.C. Cir. 1984). He has not done so. Mr. Cummins is the Rule 36 (6) witness for a divestiture buyer in an antitrust merger case. He does not contest th company's purchase agreement is material. Rather, he argues that his live testimony would be duplicative of his deposition and would require him to travel to Washingto D.C. immediately after he returns from a trip to China. Neither reason is persuasive. Plaintiff states that Mr. Cummins's testimony is among the most important in the cas that his deposition will not suffice. Second, the use of a videotaped deposition in liet live testimony would deprive the Court of the opportunity to assess his credibility an question him. Finally, on the record here, requiring Mr. Cummins to travel to Washington, D.C. would not be an "undue burden." See United States v. Anthem, Inc. Civil Action No. 16-1493 (ABJ), 2016 WL 11164033, at *2 n.2 (D.D.C. Dec. 7, 201 For example, he has not argued that others are unable to help cover his duties in his I absence. Nor has he argued that he would have to cancel or modify other engagemer Indeed, he readily concedes that Plaintiff has endeavored to avoid disrupting his trip China. While the Court appreciates that Mr. Cummins would prefer not to travel to to in this case, he has not demonstrated the kind of exceptional circumstances that warr quashing a subpoena, see Flanagan | 11/06/2019 | 92 | Document, (Attachments: # 1 Redacted Opposition to Motion to Quash, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Redacted Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 |
| Appear for Live Testimony. Mr. Cummins, who lives and works in Tennessee, argue forcing him to testify at a preliminary injunction hearing in person would be a "significant burden" and that presenting his testimony via videotaped deposition sho suffice. Rule 45 instructs district courts to quash a subpoena that "subjects a person t undue burden." Fed. R. Civ. P. 45(d)(3)(A)(iv). As the movant, Mr. Cummins bears t "heavy burden" of meeting this standard. Northrop Corp. v. McDonnell Douglas Cor 751 F.2d 395, 403 (D.C. Cir. 1984). He has not done so. Mr. Cummins is the Rule 36 (6) witness for a divestiture buyer in an antitrust merger case. He does not contest th company's purchase agreement is material. Rather, he argues that his live testimony would be duplicative of his deposition and would require him to travel to Washingto D.C. immediately after he returns from a trip to China. Neither reason is persuasive. Plaintiff states that Mr. Cummins's testimony is among the most important in the case that his deposition will not suffice. Second, the use of a videotaped deposition in liet live testimony would deprive the Court of the opportunity to assess his credibility an question him. Finally, on the record here, requiring Mr. Cummins to travel to Washington, D.C. would not be an "undue burden." See United States v. Anthem, Inc. Civil Action No. 16-1493 (ABJ), 2016 WL 11164033, at *2 n.2 (D.D.C. Dec. 7, 201 For example, he has not argued that there are unable to help cover his duties in his labsence. Nor has he argued that he would have to cancel or modify other engagemer Indeed, he readily concedes that Plaintiff has endeavored to avoid disrupting his trip China. While the Court appreciates that Mr. Cummins would prefer not to travel to to in this case, he has not demonstrated the kind of exceptional circumstances that warr quashing a subpoena, see Flanagan v. Wyndham Int'l Inc., 231 F.R.D. 98, 102 (D.D.0 2005). Accordingly, Jonathan Cummins's 59 Motion to Quash FTC's Subpoena to Afor Live Testimony is DENIED. Sign | 11/06/2019 | 93 | REPLY to opposition to motion re <u>59</u> MOTION to Quash <i>FTC's Subpoena to Appear for Live Testimony</i> filed by JONATHAN CUMMINS. (Day, Robert) (Entered: 11/06/2019) |
| of Proposed Order, # 2 Joint Exhibit List)(Rhilinger, James) (Entered: 11/07/2019) | 11/07/2019 | | "significant burden" and that presenting his testimony via videotaped deposition should suffice. Rule 45 instructs district courts to quash a subpoena that "subjects a person to undue burden." Fed. R. Civ. P. 45(d)(3)(A)(iv). As the movant, Mr. Cummins bears the "heavy burden" of meeting this standard. <i>Northrop Corp. v. McDonnell Douglas Corp.</i> , 751 F.2d 395, 403 (D.C. Cir. 1984). He has not done so. Mr. Cummins is the Rule 30(b) (6) witness for a divestiture buyer in an antitrust merger case. He does not contest that his company's purchase agreement is material. Rather, he argues that his live testimony would be duplicative of his deposition and would require him to travel to Washington, D.C. immediately after he returns from a trip to China. Neither reason is persuasive. First, Plaintiff states that Mr. Cummins's testimony is among the most important in the case and that his deposition will not suffice. Second, the use of a videotaped deposition in lieu of live testimony would deprive the Court of the opportunity to assess his credibility and question him. Finally, on the record here, requiring Mr. Cummins to travel to Washington, D.C. would not be an "undue burden." <i>See United States v. Anthem, Inc.</i> , Civil Action No. 16-1493 (ABJ), 2016 WL 11164033, at *2 n.2 (D.D.C. Dec. 7, 2016). For example, he has not argued that others are unable to help cover his duties in his brief absence. Nor has he argued that he would have to cancel or modify other engagements. Indeed, he readily concedes that Plaintiff has endeavored to avoid disrupting his trip to China. While the Court appreciates that Mr. Cummins would prefer not to travel to testify in this case, he has not demonstrated the kind of exceptional circumstances that warrant quashing a subpoena, <i>see Flanagan v. Wyndham Int'l Inc.</i> , 231 F.R.D. 98, 102 (D.D.C. 2005). Accordingly, Jonathan Cummins's 59 Motion to Quash FTC's Subpoena to Appear for Live Testimony is DENIED. Signed by Judge Timothy J. Kelly on 11/7/2019. (letjk1) |
| | 11/07/2019 | 94 | SEALED MOTION filed by FEDERAL TRADE COMMISSION (Attachments: # 1 Text of Proposed Order, # 2 Joint Exhibit List)(Rhilinger, James) (Entered: 11/07/2019) |
| | 11/08/2019 | 95 | 1 |

| 11/08/2019 | <u>96</u> | NOTICE of Redacted Filing by FEDERAL TRADE COMMISSION re 72 SEALED MOTION filed by FEDERAL TRADE COMMISSION (Attachments: # 1 Redacted Reply Memorandum, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit)(Rhilinger, James) (Entered: 11/08/2019) |
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| 11/08/2019 | | MINUTE ORDER granting Third-Party Solvay USA Inc.'s <u>95</u> Motion for Leave to Appear Pro Hac Vice. Attorney Jeremy P. Morrison is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions Signed by Judge Timothy J. Kelly on 11/8/19. (lctjk2) (Entered: 11/08/2019) |
| 11/08/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Pretrial Conference held on 11/8/2019. Upon consideration of the parties' motions to file under seal, ECF Nos. 56, 72, and 94, and the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that the motions to file under seal Defendants memorandum in opposition, Plaintiffs reply memorandum, and the parties exhibit list is GRANTED. The 21 Case Management Order is amended to reflect that the parties Findings of Fact and Conclusions of Law are due on December 4, 2019. (Court Reporter: Timothy Miller) (zkh) (Entered: 11/08/2019) |
| 11/08/2019 | 97 | TRANSCRIPT OF STATUS CONFERENCE before Judge Timothy J. Kelly held on 10-22-19; Page Numbers: 1-38; Date of Issuance: 11-8-19; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form |
| | | For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. |
| | | NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. |
| | | Redaction Request due 11/29/2019. Redacted Transcript Deadline set for 12/9/2019. Release of Transcript Restriction set for 2/6/2020.(Miller, Timothy) (Entered: 11/08/2019) |
| 11/08/2019 | 98 | TRANSCRIPT OF PRETRIAL CONFERENCE before Judge Timothy J. Kelly held on 11-8-19; Page Numbers: 1-15; Date of Issuance: 11-8-19; Court Reporter: Timothy R. Miller, Telephone number (202) 354-3111. Transcripts may be ordered by submitting the |

| | | personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. |
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| | | Redaction Request due 11/29/2019. Redacted Transcript Deadline set for 12/9/2019. Release of Transcript Restriction set for 2/6/2020.(Miller, Timothy) (Entered: 11/08/2019) |
| 11/08/2019 | 101 | SEALED OPPOSITION filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re <u>3</u> MOTION for Preliminary Injunction (See Docket Entry <u>56</u> to view documents). (ztth) (Entered: 11/12/2019) |
| 11/08/2019 | 102 | SEALED REPLY TO OPPOSITION filed by FEDERAL TRADE COMMISSION re 3 MOTION for Preliminary Injunction (This document is SEALED and only available to authorized persons.) (Attachment: # 1 Exhibit A) (ztth) (Entered: 11/12/2019) |
| 11/08/2019 | 103 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION. (This document is SEALED and only available to authorized persons.) (ztth) (Entered: 11/12/2019) |
| 11/11/2019 | 99 | Joint MOTION to Seal <i>Adopt Procedure to Protect Competitively Sensitive Information at Preliminary Injunction Hearing</i> by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Text of Proposed Order) (Mahr, Eric) Modified event on 11/13/2019 (znmw). (Entered: 11/11/2019) |
| 11/12/2019 | 100 | ORDER granting parties' <u>99</u> Joint Motion to Seal Proceedings for the Limited Purpose of Maintaining Confidentiality of Competitively Sensitive Information. See <u>99</u> Motion for details. Signed by Judge Timothy J. Kelly on 11/12/19. (lctjk2) (Entered: 11/12/2019) |
| 11/12/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing begun and held on 11/12/2019. Evidentiary Hearing continued to 11/13/2019 at 9:30 AM in Courtroom 11 before Judge Timothy J. Kelly. Plaintiffs' Witnesses: Michael Maeder, Clarke Anderson, and Sadia Dumas. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/12/2019) |
| 11/12/2019 | 104 | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Megan E. Gerking, Filing fee \$ 100, receipt number ADCDC-6554059. Fee Status: Fee Paid. by NOURYON PULP AND PERFORMANCE CHEMICALS LLC (Attachments: # 1 Declaration Declaration Of Megan E. Gerking, # 2 (Proposed) Order)(Wine, Bradley) (Entered: 11/12/2019) |
| 11/12/2019 | 105 | MOTION in Limine by FEDERAL TRADE COMMISSION (Attachments: # 1 Text of Proposed Order, # 2 Exhibit, # 3 Exhibit)(Rhilinger, James) (Entered: 11/12/2019) |
| 11/12/2019 | 106 | ENTERED IN ERRORMemorandum in opposition to re 105 MOTION in Limine Defendant PeroxyChems Opposition to Plaintiffs Motion Limine to Exclude Defendants Demonstratives 1 and 2 filed by LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC. (Aryankalayil, Anna); Modified on 11/13/2019 (ztth). (Entered: 11/12/2019) |
| 11/13/2019 | | MINUTE ORDER granting 104 Motion for Leave to Appear Pro Hac Vice. Attorney Megan E. Gerking is hereby admitted pro hac vice to appear in this matter on behalf of third-party Nouryon Pulp and Performance Chemicals, LLC. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Timothy J. Kelly on 11/13/19. (lctjk2) (Entered: 11/13/2019) |

| 11/13/2019 | | NOTICE OF ERROR re 106 Memorandum in Opposition; emailed to anna.aryankalayil@dechert.com, cc'd 77 associated attorneys The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. Please refile document, 3. Attorney login and signature on the pleading must match. (ztth,) (Entered: 11/13/2019) |
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| 11/13/2019 | 107 | Memorandum in opposition to re 105 MOTION in Limine Defendant PeroxyChems Opposition to Plaintiffs Motion in Limine to Exclude Defendants Demonstratives 1 and 2 filed by LEXINGTON CAPITAL PARTNERS VII (AIV I), L.P., ONE EQUITY PARTNERS SECONDARY FUND, L.P., ONE EQUITY PARTNERS V, L.P., PEROXYCHEM COOPERATIEF U.A., PEROXYCHEM HOLDING COMPANY LLC, PEROXYCHEM HOLDINGS LLC, PEROXYCHEM HOLDINGS, L.P., PEROXYCHEM LLC. (Aryankalayil, Anna) (Entered: 11/13/2019) |
| 11/13/2019 | | NOTICE of Hearing (Time Change): The Evidentiary Hearing currently set for 11/14/2019 at 9:30 AM is RESCHEDULED for 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. (zkh) (Entered: 11/13/2019) |
| 11/13/2019 | | Set/Reset Hearings. (zkh) (Entered: 11/13/2019) |
| 11/13/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed on 11/13/2019. Evidentiary Hearing continued to 11/14/2019 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. Plaintiffs' Witnesses: Sadia Dumas, Michael Engram, Joel Suter, and Linda Myrick. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/13/2019) |
| 11/14/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed on 11/14/2019. Evidentiary Hearing continued to 11/15/2019 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. Plaintiffs' Witnesses: Paul Radlinski, Marieke Corson, and Dr. Dov Rothman. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/14/2019) |
| 11/15/2019 | 108 | NOTICE of Appearance by Daniel Denzel DeVougas on behalf of STERIS PLC (DeVougas, Daniel) (Entered: 11/15/2019) |
| 11/15/2019 | 109 | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Sarah Podmaniczky McGonigle, Filing fee \$ 100, receipt number ADCDC-6567321. Fee Status: Fee Paid. by STERIS PLC (Attachments: # 1 Declaration of Sarah Podmaniczky McGonigle, # 2 Text of Proposed Order)(DeVougas, Daniel) (Entered: 11/15/2019) |
| 11/15/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed on 11/15/2019. Evidentiary Hearing continued to 11/18/2019 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. Plaintiffs' Witnesses: Dr. Dov Rothman and David Niessner. Defense Witness: Dr. Claus Rettig. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/15/2019) |
| 11/18/2019 | | MINUTE ORDER granting 109 Motion for Leave to Appear Pro Hac Vice. Attorney Sarah Podmaniczky McGonigle is hereby admitted pro hac vice to appear in this matter on behalf of third-party STERIS plc. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Timothy J. Kelly on 11/18/19. (lctjk2) (Entered: 11/18/2019) |
| 11/18/2019 | | MINUTE ORDER: For the reasons stated on the record on November 13, 2019, Plaintiff's 105 Motion in Limine is GRANTED IN PART and DENIED IN PART. Signed by Judge Timothy J. Kelly on 11/18/19. (lctjk2) (Entered: 11/18/2019) |
| 11/18/2019 | | Set/Reset Hearings. (zkh) (Entered: 11/18/2019) |
| 11/18/2019 | 110 | Joint MOTION TO REDACT COMPETITIVELY SENSITIVE INFORMATION FROM |

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| | | THE PUBLIC TRANSCRIPT OF DAY 4 OF THE PRELIMINARY INJUNCTION HEARING HELD ON NOVEMBER 15, 2019 by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(Mahr, Eric) (Entered: 11/18/2019) |
| 11/18/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed on 11/18/2019. Evidentiary Hearing continued to 11/19/2019 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. Defense Witnesses: Stephen Costanzo and Ingo Hamann. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/18/2019) |
| 11/19/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed on 11/19/2019. Evidentiary Hearing continued to 11/20/2019 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. Defense Witnesses: Bruce Lerner, Stephanie Montag, and Walter A. Kramer, Jr. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/19/2019) |
| 11/20/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed on 11/20/2019. Evidentiary Hearing continued to 11/21/2019 at 9:30 AM in Courtroom 11 before Judge Timothy J. Kelly. Defense Witnesses: Walter A. Kramer, Jr., Jonathan Cummins, and Noelle Shirley. Plaintiffs' Witness: Steven C. Gripp. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/20/2019) |
| 11/21/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed on 11/21/2019. Testimony concluded. Closing arguments continued. Order to be issued by the court. (Court Reporters: Timothy Miller (AM) and Scott Wallace (PM)) (zkh) (Entered: 11/21/2019) |
| 11/21/2019 | | MINUTE ORDER: It is hereby ORDERED that the hearing set for November 22, 2019, at 9:00 a.m. is VACATED. It is further ORDERED that the parties shall appear for closing arguments on Plaintiffs 3 Motion for Preliminary Injunction on December 13, 2019, at 10:00 a.m. Signed by Judge Timothy J. Kelly on 11/21/19. (lctjk2) (Entered: 11/21/2019) |
| 11/22/2019 | | MINUTE ORDER granting the parties' 110 Joint Motion to Redact Competitively Sensitive Information From the Public Transcript of Day 4 of the Preliminary Injunction Hearing Held on November 15, 2019. Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that the joint motion is GRANTED. The number contained on page 47 at line 8 of the public transcript for the morning session of the November 15, 2019, preliminary injunction hearing shall be redacted. Signed by Judge Timothy J. Kelly on 11/22/19. (lctjk2) (Entered: 11/22/2019) |
| 11/22/2019 | | MINUTE ORDER: It is hereby ORDERED that the parties shall file a joint report no later than December 4, 2019, identifying Plaintiff's exhibits for which Defendants object, the bases for those objections, and Plaintiff's response to those objections. The parties shall be prepared to argue these objections at the December 13, 2019, hearing on Plaintiff's 3 Motion for Preliminary Injunction. Signed by Judge Timothy J. Kelly on 11/22/19. (lctjk2) (Entered: 11/22/2019) |
| 11/22/2019 | 111 | Joint MOTION TO REDACT COMPETITIVELY SENSITIVE INFORMATION FROM THE PUBLIC TRANSCRIPT OF DAY 8 OF THE PRELIMINARY INJUNCTION HEARING HELD ON NOVEMBER 21, 2019 by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(Mahr, Eric) (Entered: 11/22/2019) |
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| 11/25/2019 | | MINUTE ORDER granting the parties' 111 Joint Motion to Redact Competitively Sensitive Information From the Public Transcript of Day 8 of the Preliminary Injunction Hearing Held on November 21, 2019. Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that the joint motion is GRANTED. The number contained on page 61 at line 22 of the public transcript for the morning session of the November 21, 2019, preliminary injunction hearing shall be redacted. Signed by Judge Timothy J. Kelly on 11/25/19. (lctjk2) (Entered: 11/25/2019) |
| 12/02/2019 | 112 | Joint MOTION to Redact the Public Transcript of Day 4 and Day 8 of the Preliminary Injunction Hearing Held on November 15 and 21, 2019 by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(Mahr, Eric) (Entered: 12/02/2019) |
| 12/02/2019 | | MINUTE ORDER granting in part the parties' 112 Joint Motion to Redact Competitively Sensitive Information From the Public Transcripts of Day 4 and Day 8 of the Preliminary Injunction Hearing Held on November 15 and 21, 2019. Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that the joint motion is GRANTED IN PART. The following portions of the public transcripts shall be REDACTED: (1) for the morning hearing session on November 15, 2019, the words after "that" and before "of" on page 47 at line 4; (2) for the morning hearing session on November 21, 2019, page 86 at lines 15-17; (3) for the morning hearing session on November 21, 2019, page 87 at lines 11-17; (4) for the afternoon hearing session on November 21, 2019, page 11 at lines 21-23 ending in "and," page 11 at line 25, and page 12 at lines 1-4. Signed by Judge Timothy J. Kelly on 12/2/19. (lctjk2) (Entered: 12/02/2019) |
| 12/04/2019 | 113 | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Text of Proposed Order, # 2 Statement of Facts) (Rhilinger, James) (Entered: 12/04/2019) |
| 12/04/2019 | 114 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit)(Rhilinger, James) (Entered: 12/04/2019) |
| 12/04/2019 | 115 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit, # 32 Exhibit, # 33 Exhibit, # 34 Exhibit, # 35 Exhibit, # 36 Exhibit, # 37 Exhibit, # 38 Exhibit, # 39 Exhibit)(Rhilinger, James) (Entered: 12/04/2019) |
| 12/04/2019 | <u>116</u> | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (This document is SEALED and only available to |

| | | authorized persons.) (Attachments: # 1 Exhibit 1, # 2 Text of Proposed Order, # 3 Certificate of Service)(Mahr, Eric) (Entered: 12/04/2019) |
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| 12/04/2019 | 117 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit)(Rhilinger, James) (Entered: 12/04/2019) |
| 12/04/2019 | 118 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit) (Rhilinger, James) (Entered: 12/04/2019) |
| 12/04/2019 | 119 | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Defendants' Proposed Findings of Fact and Conclusions of Law, # 2 Exhibits 1 of 7, # 3 Exhibits 2 of 7, # 4 Exhibits 3 of 7, # 5 Exhibits 4 of 7, # 6 Exhibits 5 of 7, # 7 Exhibits 6 of 7, # 8 Exhibits 7 of 7, # 9 Text of Proposed Order, # 10 Certificate of Service)(Mahr, Eric) (Entered: 12/04/2019) |
| 12/05/2019 | | MINUTE ORDER granting <u>84</u> Plaintiff's Unopposed Motion to File Opposition to Non-Party Jonathan Cummins' Motion to Quash the FTC's Subpoena and Accompanying Exhibits Under Seal. Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), and Plaintiff's filing of a redacted opposition motion and exhibits, see ECF No. 92, it is hereby ORDERED that <u>84</u> Plaintiff's Unopposed Motion to File Opposition to Non-Party Jonathan Cummins' Motion to Quash the FTC's Subpoena and Accompanying Exhibits Under Seal is GRANTED. Signed by Judge Timothy J. Kelly on 12/5/19. (lctjk2) (Entered: 12/05/2019) |
| 12/05/2019 | 120 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | 121 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (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, # 13 |

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| | | Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit) (Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | 122 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | 123 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | | MINUTE ORDER granting the parties' 113, 116, and 119 motions for leave to file their proposed findings of fact and conclusions of law and joint report regarding objections under seal upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), and setting the following schedule for further proceedings: (1) by December 11, 2019, the parties shall each deliver to chambers a CD containing their proposed findings of fact, conclusions of law, and accompanying exhibits with hyperlinks to relevant documents; (2) by December 20, 2019, the parties shall file under seal a final exhibit list reflecting the Court's evidentiary rulings during the preliminary injunction hearing, withdrawals of objection in the parties' 116 joint report, and the Court's resolution of remaining objections on December 13, 2019; and (3) by January 10, 2020, the parties shall file redacted versions of their 113 119 proposed findings of fact and conclusions of law and their 116 joint report on Defendants' outstanding objections to certain plaintiff exhibits. Signed by Judge Timothy J. Kelly on 12/5/19. (lctjk2) Modified on 12/6/2019 to correct document number (zkh). (Entered: 12/05/2019) |
| 12/05/2019 | 124 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | 125 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | 126 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
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| 12/05/2019 | 127 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
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| 12/05/2019 | 128 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | 129 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION re 113 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by FEDERAL TRADE COMMISSION (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.) (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, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit)(Rhilinger, James) (Entered: 12/05/2019) |
| 12/05/2019 | 130 | SEALED OPPOSITION filed by FEDERAL TRADE COMMISSION re <u>59</u> MOTION to Quash <i>FTC's Subpoena to Appear for Live Testimony</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H) (ztth) (Entered: 12/06/2019) |
| 12/05/2019 | 131 | SEALED DOCUMENT - Proposed Findings of Fact and Conclusions of Law filed by FEDERAL TRADE COMMISSION re 3 MOTION for Preliminary Injunction filed by FEDERAL TRADE COMMISSION. (This document is SEALED and only available to authorized persons.) (ztth) (Entered: 12/11/2019) |
| 12/05/2019 | 132 | SEALED DOCUMENT Joint Report filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG. (This document is SEALED and only available to authorized persons.) (ztth) (Entered: 12/11/2019) |
| 12/05/2019 | 133 | SEALED DOCUMENT Proposed Findings of Fact and Conclusions of Law filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 3 MOTION for Preliminary Injunction filed by FEDERAL TRADE COMMISSION. (This document is SEALED and only available to authorized persons.) (See Docket Entry 119 to view document) (ztth) (Entered: 12/11/2019) |
| 12/13/2019 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Evidentiary Hearing resumed and concluded on 12/13/2019. Closing arguments heard. Motion taken under advisement. (Court Reporters: Scott Wallace (AM) and Timothy Miller (PM)) (zkh) (Entered: 12/13/2019) |
| 12/16/2019 | 134 | NOTICE of Appearance by Sarah Podmaniczky McGonigle on behalf of STERIS PLC (McGonigle, Sarah) (Entered: 12/16/2019) |
| 12/20/2019 | 135 | SEALED MOTION filed by FEDERAL TRADE COMMISSION (Attachments: # 1 Text of Proposed Order, # 2 Updated Joint Exhibit List)(Rhilinger, James) (Entered: |

| | | 12/20/2019) |
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| 12/20/2019 | | MINUTE ORDER granting the parties' 135 Joint Motion to File Parties' Updated Final Exhibit List Under Seal. Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that the parties' 135 Joint Motion to File Parties' Updated Final Exhibit List Under Seal is GRANTED. Upon further order of the Court following the Court's decision on the FTCs 3 Motion for Preliminary Injunction, the parties shall file a redacted final exhibit list. Signed by Judge Timothy J. Kelly on 12/20/19. (lctjk2) (Entered: 12/20/2019) |
| 12/20/2019 | <u>136</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION. (This document is SEALED and only available to authorized persons.) (ztth) (Entered: 12/27/2019) |
| 01/10/2020 | 137 | REDACTED DOCUMENT - by FEDERAL TRADE COMMISSION re 131 Sealed Document, (Attachments: # 1 Redacted Proposed Findings of Fact and Conclusions of Law, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit) (Rhilinger, James); Modified text and event on 1/13/2020 (ztth). (Entered: 01/10/2020) |
| 01/10/2020 | 138 | NOTICE of Public Filing of Defendants' Proposed Findings of Fact and Conclusions of Law by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Redacted Proposed Findings of Fact and Conclusions of Law, # 2 DX 140, # 3 DX 141, # 4 DX 253, # 5 DX 262, # 6 DX 268, # 7 JX 0070, # 8 Certificate of Service)(Mahr, Eric) (Entered: 01/10/2020) |
| 01/10/2020 | 139 | NOTICE of Public Filing of Joint Report by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (Attachments: # 1 Redacted Joint Report on Defendants' Outstanding Objections to Certain Plaintiff Exhibits, # 2 Certificate of Service)(Mahr, Eric) (Entered: 01/10/2020) |
| 01/14/2020 | 140 | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Defendants' Request for Judicial Notice, # 2 Exhibit A, # 3 Text of Proposed Order re Request for Judicial Notice, # 4 Text of Proposed Order re Motion to Seal)(Mahr, Eric) (Entered: 01/14/2020) |
| 01/15/2020 | | MINUTE ORDER granting Defendants' 140 Motion to File Request for Judicial Notice and Accompanying Exhibit Under Seal. Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that Defendants' 140 Motion to File Request for Judicial Notice and Accompanying Exhibit Under Seal is GRANTED. It is further ORDERED that the FTC shall file any opposition to Defendants' Request for Judicial Notice by January 17, 2020. Signed by Judge Timothy J. Kelly on 1/15/20. (lctjk2) (Entered: 01/15/2020) |
| 01/15/2020 | 141 | SEALED MOTION filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG. (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order) (ztth) (Entered: 01/16/2020) |
| 01/17/2020 | 142 | RESPONSE re 141 SEALED MOTION filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG. (This document is SEALED and only available to authorized persons.) <i>Opposition to Defendants' Request for Judicial Notice</i> filed by FEDERAL TRADE COMMISSION. (Rhilinger, James) (Entered: 01/17/2020) |
| 01/17/2020 | 143 | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by |

| | | EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Reply, # 2 Text of Proposed Order)(Mahr, Eric) (Entered: 01/17/2020) |
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| 01/18/2020 | | MINUTE ORDER granting Defendants' 143 Motion for Leave to File Reply Under Seal. Upon consideration of Defendants' representations in their motion, it is hereby ORDERED that, until further order of the Court: (1) Defendants' 143 Motion for Leave to File Reply Under Seal is GRANTED and VACATED PURSUANT TO ORDER FILED 1/21/2020 |
| 01/18/2020 | 145 | SEALED REPLY TO OPPOSITION filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 141 SEALED MOTION filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG. (This document is SEALED and only available to authorized persons.) (ztth) (Entered: 01/22/2020) |
| 01/19/2020 | | MINUTE ORDER: It is hereby ORDERED that the parties shall appear for a telephonic status conference on January 21, 2020, at 10:30 a.m. in Courtroom 11. Signed by Judge Timothy J. Kelly on 1/19/20. (lctjk2) (Entered: 01/19/2020) |
| 01/21/2020 | | Minute Entry for proceedings held before Judge Timothy J. Kelly: Telephone Status Conference held on 1/21/2020. (Court Reporter: Timothy Miller) (zkh) (Entered: 01/21/2020) |
| 01/21/2020 | | MINUTE ORDER: Upon consideration of the parties' representations at the January 21, 2020, status conference, the Court's Minute Order of January 18, 2020, is hereby VACATED with respect to the requirement that Plaintiff withdraw and refile its 142 response. Signed by Judge Timothy J. Kelly on 1/21/20. (lctjk2) (Entered: 01/21/2020) |
| 01/21/2020 | 144 | SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Revised Reply, # 2 Text of Proposed Order) (Mahr, Eric) (Entered: 01/21/2020) |
| 01/24/2020 | 146 | ORDER: For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that the Plaintiff's 3 Motion for Preliminary Injunction is DENIED. This is a final appealable order. The Memorandum Opinion will be docketed under seal because it likely contains "competitively sensitive information," Protective Order, ECF No. 10 at 1, of Defendants and third parties. By January 29, 2020, the parties shall meet and confer and (1) file under seal proposed redactions to the Opinion and (2) submit an editable.pdf copy of the proposed redactions, via email to kelly_chambers@dcd.uscourts.gov or USB drive, which will allow the Court to accept or modify the proposed redactions. A redacted version of the Memorandum Opinion shall be placed on the public docket shortly thereafter. Signed by Judge Timothy J. Kelly on 1/24/20. (lctjk2) (Entered: 01/24/2020) |
| 01/24/2020 | 147 | SEALED MEMORANDUM OPINION (This document is SEALED and only available to authorized persons.) Signed by Judge Timothy J. Kelly on 1/24/2020. (zkh) (Entered: 01/27/2020) |
| 01/27/2020 | | Set/Reset Deadlines: Proposed Redactions due by 1/29/2020. (zkh) (Entered: 01/27/2020) |
| 01/29/2020 | 148 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES |
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| | | AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Memorandum Opinion, # 2 Certificate of Service)(Mahr, Eric); Modified text and event on 1/30/2020 (ztth). (Entered: 01/29/2020) |
| 01/30/2020 | 149 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Certificate of Service)(Mahr, Eric) (Entered: 01/30/2020) |
| 02/03/2020 | 150 | REDACTED MEMORANDUM OPINION denying Plaintiff's <u>3</u> Motion for Preliminary Injunction and granting in part Defendants' <u>141</u> Request for Judicial Notice. Signed by Judge Timothy J. Kelly on 1/24/20. (lctjk2) (Entered: 02/03/2020) |
| 02/03/2020 | | MINUTE ORDER: Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293 (D.C. Cir. 1980), the third-party motions for in camera treatment pursuant to Paragraph 10 of the 10 Protective Order, and the parties' 148 149 submissions, it is hereby ORDERED that the material redacted from the 150 Redacted Memorandum Opinion shall remain under seal. Signed by Judge Timothy J. Kelly on 2/3/20. (lctjk2) (Entered: 02/03/2020) |
| 02/05/2020 | | MINUTE ORDER denying Defendants' 144 Revised Motion to File Defendants' Revised Reply in Support of Request for Judicial Notice Under Seal. Upon consideration of the factors set forth in United States v. Hubbard, 650 F.2d 293 (D.C. Cir. 1980); the parties' representations at the January 21, 2020, status conference; the 150 Memorandum Opinion granting in part Defendants' 141 Request for Judicial Notice; and the Canadian Competition Bureau's public statement regarding Evonik's proposed merger with PeroxyChem; it is hereby ORDERED that Defendants' 144 Revised Motion to File Defendants' Revised Reply in Support of Request for Judicial Notice Under Seal is DENIED. The Clerk shall place Defendants' Revised Reply, ECF No. 144-1, on the public docket. Signed by Judge Timothy J. Kelly on 2/5/20. (lctjk2) (Entered: 02/05/2020) |
| 02/05/2020 | | MINUTE ORDER: It is hereby ORDERED that by February 21, 2020, the parties shall file under seal a joint report that (1) includes a list of (a) all exhibits that third parties have requested, via motion, be placed under seal in whole or in part and (b) any other exhibits that the parties seek to maintain under seal in whole or in part and the reasons justifying such sealing, and (2) states the parties' objections, if any, to sealing any of the above exhibits. The parties need not move for leave to file the joint report under seal. Signed by Judge Timothy J. Kelly on 2/5/20. (lctjk2) (Entered: 02/05/2020) |
| 02/05/2020 | 151 | REPLY filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG. (Unsealed pursuant to Minute Order dated 2/5/2020) (ztth) (Entered: 02/07/2020) |
| 02/21/2020 | 152 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Joint Report On Exhibit Confidentiality, # 2 Certificate of Service)(Mahr, Eric) (Entered: 02/21/2020) |
| 02/26/2020 | 153 | Order on Confidentiality of Exhibits granting all pending non-party motions to maintain confidential material under seal, 61, 62, 65, 67, 68, 69, 70, 71, 73, 74, 77, 78, 79, 80, 82, 83, 85, 86, 87, 88, 90; ordering parties and non-parties to file exhibits and exhibit lists; directing the Clerk to maintain documents under seal; and providing that public may petition for access to non-public exhibits. See Order for details. Signed by Judge Timothy J. Kelly on 2/26/20. (lctjk2) (Entered: 02/26/2020) |
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| 03/03/2020 | 154 | NOTICE of Change of Address by Roya Vasseghi (Vasseghi, Roya) (Entered: 03/03/2020) |
| 03/04/2020 | | NOTICE OF ERROR re <u>154</u> Notice of Change of Address; emailed to rvasseghi@reesbroome.com, cc'd 82 associated attorneys The PDF file you docketed contained errors: 1. Please update your address and firm name in PACER. (ztth,) (Entered: 03/04/2020) |
| 03/04/2020 | <u>155</u> | REDACTED DOCUMENT- Public Record Version of JX0012 and PX4000 by PAPER EXCELLENCE CANADA HOLDINGS CORP (Attachments: # 1 Exhibit Public Record Version of PX4000)(Gleklen, Jonathan) (Entered: 03/04/2020) |
| 03/05/2020 | <u>156</u> | REDACTED DOCUMENT- <i>Public Record Version of JX0041</i> by INTERNATIONAL PAPER COMPANY. (Hay, Daniel) (Entered: 03/05/2020) |
| 03/05/2020 | <u>157</u> | REDACTED DOCUMENT- Public Record Version of PX3014 by SOLVAY USA INC (Thatch, Christopher) (Entered: 03/05/2020) |
| 03/09/2020 | <u>158</u> | REDACTED DOCUMENT- Redacted Exhibit <i>PX7013</i> by PROCTER AND GAMBLE COMPANY. (Belott, Debra); Modified text on 3/9/2020 (ztth). (Entered: 03/09/2020) |
| 03/09/2020 | <u>159</u> | REDACTED DOCUMENT- Public Record Version of JX0062 by STERIS PLC. (McGonigle, Sarah) (Entered: 03/09/2020) |
| 03/09/2020 | 160 | REDACTED DOCUMENT- Public Record versions of JX0010, JX0033, PX4025, PX4028, PX4030, PX4035, DX0102 by VERSO CORPORATION. (Van Vuren, Anthony) (Entered: 03/09/2020) |
| 03/09/2020 | 161 | REDACTED DOCUMENT- Public Record versions of JX0001, JX00045, PX5001, PX5002, PX5003, PX5004, PX5005, PX5006, PX5007, DX0122, DX0367 by MGC PURE CHEMICALS AMERICA, INC (Dutra, Jeremy) (Entered: 03/09/2020) |
| 03/10/2020 | 162 | REDACTED DOCUMENT- Arkema Inc. Exhibit No. A-16 identified by Parties as JX0005, PX7004, DX309, and DX355 by ARKEMA INC (Lewis, Jonathan) (Entered: 03/10/2020) |
| 03/10/2020 | 163 | REDACTED DOCUMENT- Arkema Inc. Exhibit No. A-17 identified by Parties as JX0046, PX6028, and DX83 by ARKEMA INC (Lewis, Jonathan) (Entered: 03/10/2020) |
| 03/10/2020 | 164 | REDACTED DOCUMENT- Public Record Version of JX0006 and JX0056 by CHS INC (Attachments: # 1 Public Record Version of JX0056)(Yaffe, Eric) (Entered: 03/10/2020) |
| 03/11/2020 | 165 | REDACTED DOCUMENT- <i>Public Record versions of JX0015 and JX0043</i> by GEORGIA-PACIFIC, LLC. (Barnaby, Kelley) (Entered: 03/11/2020) |
| 03/11/2020 | 166 | REDACTED DOCUMENT- <i>Public Record Versions of DX 124, DX 125, JX0002 and JX0053</i> by RAYONIER ADVANCED MATERIALS INC (Vasseghi, Roya) (Entered: 03/11/2020) |
| 03/12/2020 | 167 | REDACTED DOCUMENT- Public Record Version of PX5061 by UNITED INITIATORS GMBH. (Day, Robert) (Entered: 03/12/2020) |
| 03/12/2020 | 168 | NOTICE of Filing by RESOLUTE FOREST PRODUCTS INC. re 153 Order on Sealed Motion,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
| 03/12/2020 | 169 | REDACTED DOCUMENT- Exhibits Public Record versions of PX3018, JX0051, |
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| | | JX0009, and DX274 by NOURYON PULP AND PERFORMANCE CHEMICALS LLC. (Attachments: # 1 2, # 2 3, # 3 4)(Wine, Bradley) (Entered: 03/12/2020) |
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| 03/12/2020 | <u>170</u> | REDACTED DOCUMENT- Public Record Version of JX0060 by UNIVAR SOLUTIONS. (Ventura, Catie) (Entered: 03/12/2020) |
| 03/12/2020 | <u>171</u> | REDACTED DOCUMENT- Public Record Version of JX0153 by HARCROS CHEMICALS INC (Arends, Wendy) (Entered: 03/12/2020) |
| 03/13/2020 | 172 | NOTICE of Filing of Public Record Version of JX0059, JX0061, JX0064 and DX0223 by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion, Set/Reset Deadlines,, (Attachments: # 1 JX0059, # 2 JX0061, # 3 JX0064, # 4 DX0223, # 5 Certificate of Service)(Mahr, Eric) (Entered: 03/13/2020) |
| 03/13/2020 | 173 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion, Set/Reset Deadlines,, (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Preliminary Injunction Hearing Exhibit List, # 2 Certificate of Service)(Mahr, Eric) (Entered: 03/13/2020) |
| 03/13/2020 | 174 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion, Set/Reset Deadlines,, (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Preliminary Injunction Hearing Exhibit List, # 2 Certificate of Service)(Mahr, Eric) (Entered: 03/13/2020) |
| 03/13/2020 | 175 | REDACTED DOCUMENT by GRAPHIC PACKAGING INTERNATIONAL, INC. <u>153</u> Order on Sealed Motion, Set/Reset Deadlines,,. (McCalmon, Brian) Modified event title on 3/17/2020 (znmw). (Entered: 03/13/2020) |
| 03/16/2020 | 176 | Redacted Preliminary Injunction Hearing Exhibit List outlining confidentiality of exhibits, see ECF No. <u>153</u> . Signed by Judge Timothy J. Kelly on 3/16/20. (lctjk2) (Entered: 03/16/2020) |
| 03/18/2020 | 177 | NOTICE of Filing of Public Exhibits by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
| 03/18/2020 | <u>178</u> | NOTICE of Filing of Public Joint Exhibits by FEDERAL TRADE COMMISSION (Attachments: # 1 Exhibit Batch 1 of 2, # 2 Exhibit Batch 2 of 2)(Rhilinger, James) (Entered: 03/18/2020) |
| 03/18/2020 | 179 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 1 of 7, # 2 Exhibit Batch 2 of 7, # 3 Exhibit Batch 3 of 7, # 4 Exhibit Batch 4 of 7, # 5 Exhibit Batch 5 of 7, # 6 Exhibit Batch 6 of 7, # 7 Exhibit Batch 7 of 7)(Rhilinger, James) (Entered: 03/18/2020) |
| 03/19/2020 | 180 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
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| 03/19/2020 | 181 | NOTICE Filing of Public Exhibits by FEDERAL TRADE COMMISSION (Attachments: # 1 Exhibit Batch 1, # 2 Exhibit Batch 2, # 3 Exhibit Batch 3, # 4 Exhibit Batch 4, # 5 Exhibit Batch 5, # 6 Exhibit Batch 6, # 7 Exhibit Batch 7, # 8 Exhibit Batch 8, # 9 Exhibit Batch 9, # 10 Exhibit Batch 10)(Rhilinger, James) (Entered: 03/19/2020) |
| 03/19/2020 | 182 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 1, # 2 Exhibit Batch 2, # 3 Exhibit Batch 3, # 4 Exhibit Batch 4, # 5 Exhibit Batch 5, # 6 Exhibit Batch 6, # 7 Exhibit Batch 7)(Rhilinger, James) (Entered: 03/19/2020) |
| 03/19/2020 | 183 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 8, # 2 Exhibit Batch 9, # 3 Exhibit Batch 10, # 4 Exhibit Batch 11, # 5 Exhibit Batch 12, # 6 Exhibit Batch 13)(Rhilinger, James) (Entered: 03/19/2020) |
| 03/19/2020 | 184 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 14, # 2 Exhibit Batch 15, # 3 Exhibit Batch 16, # 4 Exhibit Batch 17)(Rhilinger, James) (Entered: 03/19/2020) |
| 03/19/2020 | 185 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
| 03/19/2020 | 186 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion, Set/Reset Deadlines,, (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Bundle 11 of 40, # 2 Bundle 12 of 40, # 3 Bundle 13 of 40, # 4 Bundle 14 of 40, # 5 Bundle 15 of 40, # 6 Certificate of Service)(Mahr, Eric) . (Entered: 03/19/2020) |
| 03/19/2020 | 187 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion, Set/Reset Deadlines,, (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Bundle 16 of 40, # 2 Bundle 17 of 40, # 3 Bundle 18 of 40, # 4 Bundle 19 of 40, # 5 Bundle 20 of 40, # 6 Certificate of Service)(Mahr, Eric) (Entered: 03/19/2020) |
| 03/19/2020 | 188 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
| 03/19/2020 | 189 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion, Set/Reset Deadlines,, (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Bundle 26 of 40, # 2 Bundle 27 of 40, # 3 Bundle 28 of 40, # 4 Bundle 29 of 40, # 5 Bundle 30 of 40, # 6 Certificate of Service)(Mahr, Eric) (Entered: 03/19/2020) |
| 03/19/2020 | <u>190</u> | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on |

| | | Sealed Motion,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
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| 03/19/2020 | 191 | SEALED DOCUMENT filed by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed Motion,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
| 03/20/2020 | 192 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 18, # 2 Exhibit Batch 19, # 3 Exhibit Batch 20, # 4 Exhibit Batch 21)(Rhilinger, James) (Entered: 03/20/2020) |
| 03/20/2020 | <u>193</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 22, # 2 Exhibit Batch 23, # 3 Exhibit Batch 24, # 4 Exhibit Batch 25, # 5 Exhibit Batch 26) (Rhilinger, James) (Entered: 03/20/2020) |
| 03/20/2020 | <u>194</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 27, # 2 Exhibit Batch 28, # 3 Exhibit Batch 29)(Rhilinger, James) (Entered: 03/20/2020) |
| 03/20/2020 | 195 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 30, # 2 Exhibit Batch 31, # 3 Exhibit Batch 32, # 4 Exhibit Batch 33, # 5 Exhibit Batch 34, # 6 Exhibit Batch 35, # 7 Exhibit Batch 36, # 8 Exhibit Batch 37, # 9 Exhibit Batch 38, # 10 Exhibit Batch 39, # 11 Exhibit Batch 40, # 12 Exhibit Batch 41)(Rhilinger, James) (Entered: 03/20/2020) |
| 03/20/2020 | <u>196</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 42, # 2 Exhibit Batch 43, # 3 Exhibit Batch 44, # 4 Exhibit Batch 45, # 5 Exhibit Batch 46, # 6 Exhibit Batch 47)(Rhilinger, James) (Entered: 03/20/2020) |
| 03/20/2020 | 197 | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 48, # 2 Exhibit Batch 49, # 3 Exhibit Batch 50, # 4 Exhibit Batch 51, # 5 Exhibit Batch 52, # 6 Exhibit Batch 53, # 7 Exhibit Batch 54, # 8 Exhibit Batch 55, # 9 Exhibit Batch 56, # 10 Exhibit Batch 57, # 11 Exhibit Batch 58, # 12 Exhibit Batch 59, # 13 Exhibit Batch 60)(Rhilinger, James) (Entered: 03/20/2020) |
| 03/20/2020 | <u>198</u> | SEALED DOCUMENT filed by FEDERAL TRADE COMMISSION(This document is SEALED and only available to authorized persons.) (Attachments: # 1 Exhibit Batch 61, # 2 Exhibit Batch 62)(Rhilinger, James) (Entered: 03/20/2020) |
| 03/25/2020 | | MINUTE ORDER: It is hereby ORDERED that, by March 27, 2020, the parties shall file a notice with the Court (1) stating whether, in light of the appeal deadline passing, they consent to closing this case; and (2) "consenting to the destruction of the hard-copy exhibits provided to the Court for the preliminary injunction hearing or [] requesting to promptly retrieve them in person," in accordance with the Court's prior order, ECF No. 153 at 5. Signed by Judge Timothy J. Kelly on 3/25/20. (lctjk2) (Entered: 03/25/2020) |
| 03/27/2020 | 199 | NOTICE (Joint Notice on Case Closure and Exhibit Destruction) by EVONIK CORPORATION, EVONIK INDUSTRIES AG, EVONIK INTERNATIONAL |

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| | HOLDING B.V., RAG-STIFTUNG re 153 Order on Sealed | | |
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| | Certificate of Service)(Mahr, Eric) (Entered: 03/27/2020) | | |
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