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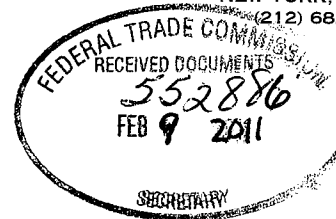
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WASHINGTON, DC 20036
(202) 296-4515

February 8, 2011

VIA OVERNIGHT COURIER

Office of the Secretary
Federal Trade Commission
Room H-135
600 Pennsylvania Avenue, NW
Washington, D.C. 20580



ORIGINAL

NEW YORK OFFICE
ONE LIBERTY PLAZA, 23RD FLOOR
NEW YORK, NY 10006
(212) 682-3198

Re: *In the Matter of Laboratory Corporation of America and Laboratory Corporation of America Holdings; Docket No. 9345*

Dear Clerk of the Court:

Please find enclosed for filing the original plus 10 copies of Third Party Hunter Laboratories' Certificate of Conference.

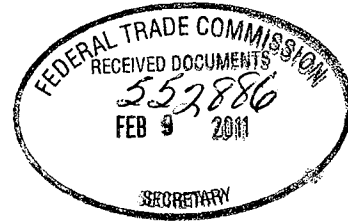
Sincerely,

A handwritten signature in cursive script that reads "Mallory Barr".

Mallory Barr
Case Assistant

ORIGINAL

1 NIALL P. McCARTHY (Cal. SBN 160175)
nmccarthy@cpmlegal.com
2 JUSTIN T. BERGER (Cal. SBN 250346)
jberger@cpmlegal.com
3 **COTCHETT, PITRE & McCARTHY, LLP**
San Francisco Airport Office Center
4 840 Malcolm Road, Suite 200
Burlingame, CA 94010
5 Tel: (650) 697-6000
Fax: (650) 692-3606



6 *Attorneys for Third-Party Hunter Laboratories*

7
8 **UNITED STATES OF AMERICA**
9 **FEDERAL TRADE COMMISSION**

10
11 In the Matter of Laboratory Corporation
12 of America and Laboratory Corporation
13 of America Holdings

Docket No. 9345

CERTIFICATE OF CONFERENCE

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28 **ORIGINAL**

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CERTIFICATE OF CONFERENCE

Counsel for Third Party Hunter Laboratories attempted to confer with Respondents' Counsel in a good faith effort to resolve by agreement the issues raised by Hunter Laboratories' Motion to Quash Subpoena. Specifically, upon receiving LabCorp's subpoena, counsel for Hunter Laboratories promptly wrote LabCorp's counsel, asking them to withdraw the subpoena in light of the Special Master's report and recommendation in the California action. LabCorp's counsel refused to do so.

Attached hereto as **Exhibit A** is a true and correct copy of a letter dated February 1, 2011 from Niall P. McCarthy addressed to Martha Boersch (counsel for Respondents in the California action), on which counsel for Respondents in this action, Benjamin F. Holt, was copied.

Attached hereto as **Exhibit B** is a true and correct copy of a letter in response dated February 2, 2011, from Lara Kollios (counsel for Respondents in the California action), addressed to Niall P. McCarthy, on which counsel for Respondents in this action, Benjamin F. Holt and Corey W. Roush, were copied.

Respectfully Submitted,

DATED: February 8, 2011

COTCHETT, PITRE & McCARTHY, LLP

By:



NIALL P. McCARTHY
JUSTIN T. BERGER
Attorneys for Hunter Laboratories

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PROOF OF SERVICE

I am employed in the County of San Mateo; I am over the age of 18 years and not a party to the within cause. My business address is the Law Offices of Cotchett, Pitre & McCarthy, LLP, San Francisco Airport Office Center, 840 Malcolm Road, Suite 200, Burlingame, California, 94010. On this day, I served the following document(s) in the manner described below:

1. CERTIFICATE OF CONFERENCE

X **VIA OVERNIGHT COURIER SERVICE:** I am readily familiar with this firm's practice for causing documents to be served by overnight courier. Following that practice, I caused the sealed envelope containing the aforementioned document(s) to be delivered via overnight courier service to the addressee(s) specified below.

Office of the Secretary
Federal Trade Commission
Room H-135
600 Pennsylvania Avenue, NW
Washington, D.C. 20580

Federal Trade Commission
Office of the Secretary

Donald S. Clark
Secretary
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue, NW
Washington, D.C. 20580
secretary@ftc.gov

Federal Trade Commission
Office of the Secretary

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
Room H-113
600 Pennsylvania Avenue, NW
Washington, D.C. 20580
oalj@ftc.gov

Federal Trade Commission
Administrative Law Judge

Lisa D. DeMarchi Sleigh
Federal Trade Commission
Bureau of Competition - Mergers I
600 Pennsylvania Avenue, N.W.
Washington, DC 20580
Tel: (202) 326-2535
ldemarchisleigh@ftc.gov

Federal Trade Commission
Bureau of Competition -
Mergers I

J. Robert Robertson
Corey Roush
Benjamin Holt
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, D.C. 20004

Attorneys for Respondents:
Laboratory Corporation
(including Laboratory
Corporation of America, A
Delaware Corp., and Laboratory
Corporation of America
Holdings)

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X **VIA FIRST CLASS MAIL:** I am readily familiar with this firm's practice for collection and processing of correspondence for mailing. Following that practice, I placed a true copy of the aforementioned document(s) in a sealed envelope, addressed to each addressee, respectively, as specified below. The envelope was placed in the mail at my business address, with postage thereon fully prepaid, for deposit with the United States Postal Service on that same day in the ordinary course of business.

Claude Vanderwold, Supervising Deputy Attorney General
Vincent DiCarlo, Deputy Attorney General
Brian Keats, Deputy Attorney General
Jennifer Gregory, Deputy Attorney General
California Department of Justice
Bureau of Medi-Cal Fraud & Elder Abuse
1425 River Park Drive, Suite 300
Sacramento, CA 95815
Tel: (916) 274-2909
Fax: (916) 274-2929
Claude.Vanderwold@doj.ca.gov
Vincent.DiCarlo@doj.ca.gov
Brian.Keats@doj.ca.gov
Jennifer.Gregory@doj.ca.gov

Attorney for Plaintiff
The State of California

Martha Boersch
Lara Kollios
Jones Day
555 California Street, 26th Floor
San Francisco, CA 94104
Tel: (415) 626-3939
Fax: (415) 875-5700
mboersch@jonesday.com
lkollios@jonesday.com

Attorneys for Defendants:
Laboratory Corporation
(including Laboratory
Corporation of America, A
Delaware Corp., and Laboratory
Corporation of America
Holdings)

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Burlingame, California, on February 8, 2011.


MALLORY BARR

EXHIBIT A

LAW OFFICES
COTCHETT, PITRE & MCCARTHY, LLP
SAN FRANCISCO AIRPORT OFFICE CENTER

840 MALCOLM ROAD

BURLINGAME, CALIFORNIA 94010

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NEW YORK OFFICE
ONE LIBERTY PLAZA, 23RD FLOOR
NEW YORK, NY 10006
(212) 682-3198

February 1, 2011

Via U.S. Mail & E-Mail

Martha Boersch

JONES DAY

555 California Street, 26th Floor

San Francisco, CA 94104

mboersch@jonesday.com

**Re: *State of California ex rel. Hunter Laboratories, LLC, et al.*
v. Laboratory Corporation of America, et al.
Sacramento Superior Court Case No. 34-2009-00066517**

Dear Martha:

As you may know, this morning my client was served by LabCorp with an extremely broad subpoena in the Federal Trade Commission v. LabCorp matter pending in Washington, D.C. LabCorp requests documents that the Court ordered were not subject to discovery in the Hunter v. LabCorp matter. The subpoena is a blatant attempt to evade the order of Justice Morrison. Moreover, Hunter's business records have nothing to do with the LabCorp/FTC dispute.

Please confirm no later than Thursday, February 3rd, that the subpoena will be withdrawn.

Very truly yours,


NIALL F. MCCARTHY

cc: Benjamin F. Holt
Lara Kollios
Vincent DiCarlo (via E-Mail only)
Justin T. Berger (via E-Mail only)

EXHIBIT B

JONES DAY

555 CALIFORNIA STREET • 26TH FLOOR • SAN FRANCISCO, CALIFORNIA 94104-1500
TELEPHONE: 415-626-3939 • FACSIMILE: 415-875-5700

Direct Number: (415) 875-5837
lkollios@jonesday.com

February 2, 2011

VIA E-MAIL AND U.S. MAIL

Niall P. McCarthy, Esq.
Cotchett, Pitre & McCarthy
840 Malcolm Road, Suite 200
Burlingame, CA 94010

Re: **State of California v. Laboratory Corporation of America, et al.,
Sacramento County Superior Court Case No. 34-2009-00066517**

Dear Niall,

It is our understanding that Mr. Riedel provided a declaration to the FTC and is on the FTC's preliminary witness list. Hunter Labs was served with a subpoena similar to those served on other labs that were also identified as witnesses by FTC. Given this relevance, LabCorp will not agree to withdraw the subpoena in the FTC action. If you have further questions relating to this subpoena please direct them to Mr. Roush or Mr. Holt at Hogan Lovells.

Very truly yours,



Lara Kollios

cc: Benjamin F. Holt, Esq.
Corey W. Roush, Esq.
Hogan Lovells

SFI-660828v1