

BEFORE FEDERAL TRADE COMMISSION

0 215 205

In the Matter of )

Summit Technology, Inc., )  
a Corporation, and )

VISX, Incorporated, )  
a Corporation. )

DOCKET No. 9286

ORDER GRANTING WITHDRAWAL OF CERTIFICATION

On October 16, 1998, respondent VISX, Incorporated ("VISX") requested certification to the Commission of a recommendation that the Commission seek court enforcement of a subpoena *duces tecum* served on nonparty Autonomous Technologies Corporation ("ATC"). On October 28, 1998, VISX's request was granted.

On November 18, 1998, ATC began production of documents responsive to VISX's subpoena, and VISX has accordingly moved to withdraw, without prejudice, its Motion requesting enforcement of subpoena *duces tecum*. Accordingly:

IT IS ORDERED that VISX's Motion to Withdraw, be and it hereby is GRANTED, and

UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION

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SUMMIT TECHNOLOGY, INC., )  
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 )  
VISX, INCORPORATED, )  
a Corporation. )  
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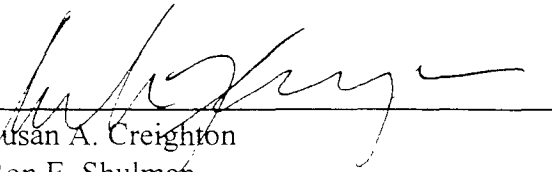
**RESPONDENT VISX, INCORPORATED'S MOTION TO WITHDRAW  
WITHOUT PREJUDICE ITS REQUEST FOR ENFORCEMENT OF  
~~SUBPOENA DICES TECH ISSUED TO NONPARTY AUTONOMOUS~~**

with out prejudice to renewing the motion should A TC fail to consider the motion.

responsive documents.

Dated: November 23, 1998

Respectfully submitted,



Susan A. Creighton

Ron E. Shulman

Mark D. Flanagan

Andrew Leibnitz

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