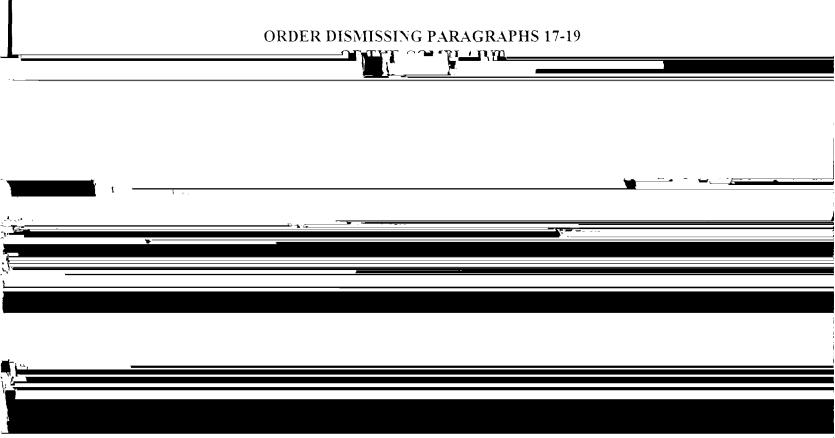
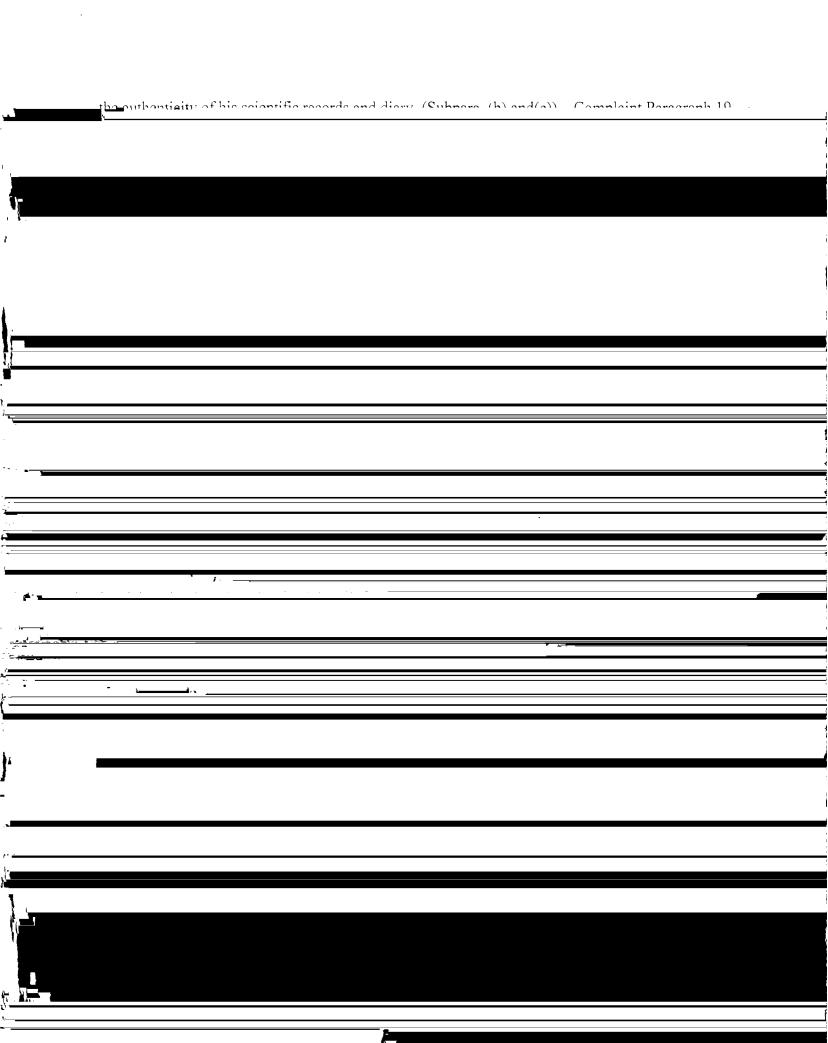
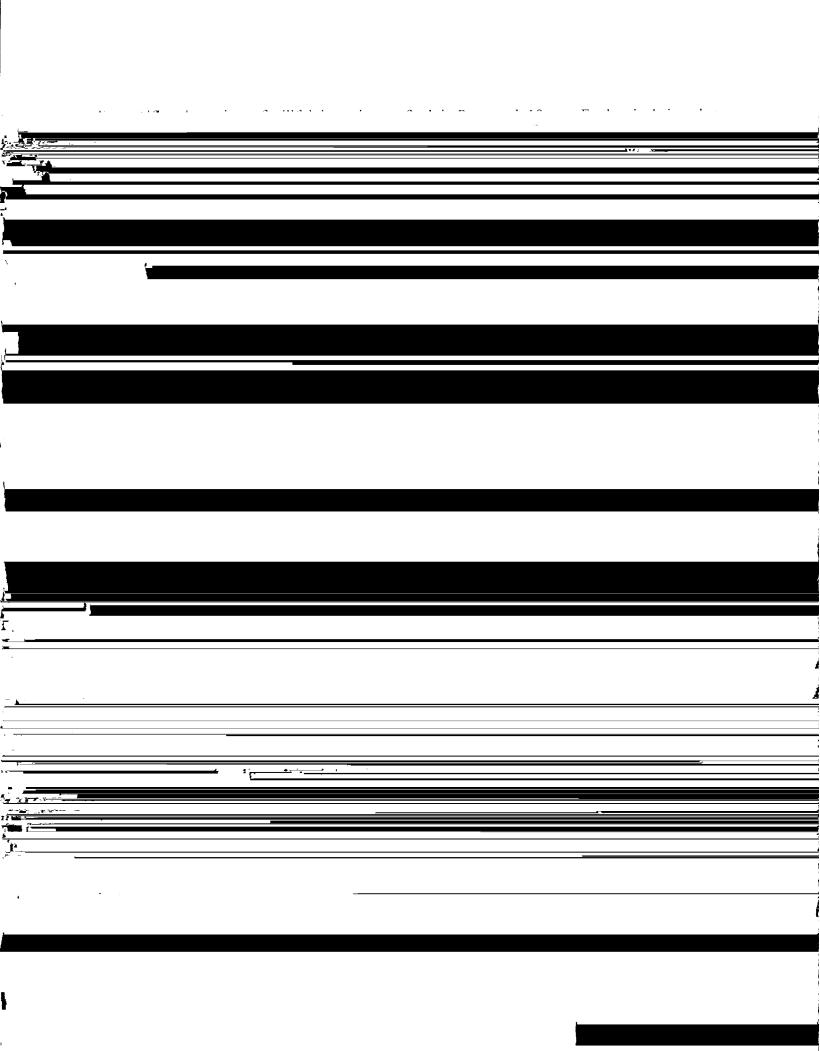
UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION

In the Matter of)	
)	
Summit Technology, Inc.,)	
a Corporation, and)	DOCKET No. 9286
•)	
VISX, Incorporated,)	
a Corporation.)	
)	







For all of the foregoing reasons, Respondent's Motion 3 was granted at the December 9.		
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	ask and also that Complaint Council have not submitted sufficient suidence in second	
	acknowledges that Complaint Counsel have not submitted sufficient evidence in response to Motion 3. Since Counsel also acknowledged previously that they will not put on any proof	
	supporting Paragraphs 17-19 of the Complaint, it is accordingly clear that no genuine issue of material fact with respect to these allegations will be litigated at the trial. Dismissal which	

ORDER

Respondent seeks is, under these circumstances, appropriate. Therefore:

IT IS ORDERED that Paragraphs 17-19 of the Complaint, and Paragraph III of the Notice of Contemplated Relief, to the extent that relief is based upon Complaint Paragraphs 17-19 be, and they hereby are, DISMISSED with prejudice.