

ENTERED

August 06, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

VS.

U.S. ANESTHESIA PARTNERS, INC., *et al.*,

Defendants.

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CIVIL ACTION NO. 4:23-CV-03560

ORDER

Before the Court are the FTC's to USAP's disputes concerning USAP's first set of six (6) interrogatories to the FTC. The Court also addresses the FTC's objecting to USAP's second set of Interrogatories. USAP filed a motion to compel responses to its Interrogatories [DE 269]. The FTC has filed a response to USAP's motion [DE 272] and USAP has filed a reply [DE 273]. The Court has reviewed the motions, responses and replies including the exhibits, attachments and declarations and determines that oral arguments from the parties concerning their dispute would be unproductive from the Court's perspective and that a resolution, based on the papers, is most appropriate. In doing so, the Court now examines the FTC's complaint allegations against USAP and USAP's need to present a reason defense; hence, the Court determines the following:

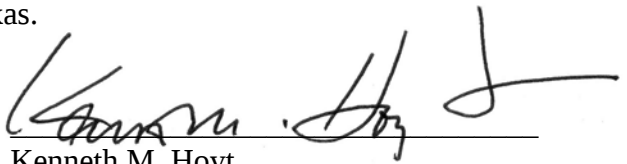
First, USAP's motion to compel, as to the first interrogatories is granted in part and denied in part. In the Court's view, Interrogatory Two will be counted as five interrogatories; Interrogatory Three will be counted as five interrogatories; Interrogatory Four will be counted as a single interrogatory with subparts; Interrogatory Five will be counted as two interrogatories with subparts; and Interrogatory Six will be counted as two interrogatories. The FTC's objections to

these Interrogatories are overruled. Nevertheless, the FTC is free to refashion each Interrogatory in a manner that is consistent with its understanding of the inquiry(s) and the evidence using its best judgment.

The FTC's objection to USAP's second set of interrogatories is sustained. The period for fact discovery has expired and the Court is not of a mind to extend the fact discovery period. However, as it relates to Interrogatories 10, 12, 17 and 18, as far as they raise state or federal law issues, USAP is free to assert such legal arguments to the Court as it deems appropriate.

It is so Ordered.

SIGNED on August 6, 2025, at Houston, Texas.



Kenneth M. Hoyt
United States District Judge