

FEDERAL TRADE COMMISSION
 WASHINGTON, D.C. 20580

NOTICE OF APPEARANCE



CASE NAME	FILE/DOCKET NUMBER
The Kroger Company and Albertsons Companies, Inc.	D09428

Pursuant to Section 4.1 of the Commission's Rules of Practice, I (we) am (are) entering in the above proceeding the appearance of

- counsel supporting the complaint (Complete Items 1, 3, 4, and 5 below)
- counsel or representative for the respondent (Complete Items 1, 2, 4, and 5 below)
- counsel or representative for a third party (Complete Items 1, 2, 4, and 5 below)

1. COUNSEL OR REPRESENTATIVE	2. RESPONDENT(S) OR THIRD PARTY(IES)
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Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding,

Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.

James A. Fishkin
 james.fishkin@dechert.com
 Michael G. Cowie
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 Washington, D.C. 20006
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Albertsons Companies, Inc.
 250 East Parkcenter Blvd.
 Boise, ID 83706
 208-395-6200

3. ASSOCIATE/ASSISTANT DIRECTOR

4. SIGNATURE OF SENIOR COUNSEL	5. DATE SIGNED
/s/ James A. Fishkin	03/19/2024

Return this form to: Federal Trade Commission
 Room H-113
 600 Pennsylvania Avenue, N.W.
 Washington, D.C. 20580

PUBLIC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

The Kroger Company,

and

Albertsons Companies, Inc.,

Respondents.

Docket No. D-9428

STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1

In connection with the Notice of Appearance filed on this day, March 19, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bar of the States of District of Columbia (#478958) and Nebraska (#18792). As requested by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

/s/ James A. Fishkin
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In connection with the Notice of Appearance filed on this day, March 19, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bar of the State of District of Columbia (#432338). As requested by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

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Certificate of Service

I hereby certify that on March 19, 2024, I filed the foregoing document electronically using the FTC’s E-Filing System, which will send notification of such filing to:

April Tabor
 Secretary
 Federal Trade Commission
 600 Pennsylvania Ave., N.W., Rm. H-113
 Washington, D.C. 20580
ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell
 Chief Administrative Law Judge
 Federal Trade Commission
 600 Pennsylvania Ave., N.W., Rm. H-110
 Washington, D.C. 20580

I also certify that I caused the foregoing documents to be served via email to:

<p>Charles Dickinson James H. Weingarten Emily Blackburn Paul Frangie Laura Hall Janet Kim Kenneth A. Libby Eric Olson Rohan Pai Harris Rothman Federal Trade Commission 600 Pennsylvania Avenue, N.W. Washington, D.C. 20580 Telephone: 202 326 2617 cdickinson@ftc.gov jweingarten@ftc.gov eblackburn@ftc.gov pfrangie@ftc.gov lhall1@ftc.gov jkim3@ftc.gov klibby@ftc.gov eolson@ftc.gov rpai@ftc.gov hrothman@ftc.gov</p> <p><i>Complaint Counsel</i></p>	<p>George L. Paul White & Case LLP 701 13th Street, N.W. Washington, D.C. 20005 Telephone: 202 626 3656 gpaul@whitecase.com</p> <p><i>Co-Counsel for Respondent Albertsons Companies, Inc</i></p>
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By: /s/ James A. Fishkin
James A. Fishkin

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Certificate for Electronic Filing

I hereby certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

March 19, 2024

By: /s/ James A.Fishkin
James A.Fishkin