Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Imandra, Inc., Austin, TX; and Tormach, Inc., Madison, WI, have been added as parties to this venture.

Also, Process Champ, LLC, Troy, MI, has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and RIC-Americas intends to file additional written notifications disclosing all changes in membership.

On April 30, 2014, RIC-Americas filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 9, 2014 (79 FR 32999).

The last notification was filed with the Department on March 24, 2022. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on May 12, 2022 (87 FR 29181).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2022–12599 Filed 6–10–22; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Granting of Requests for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**. The following transactions were granted early termination—on the date indicated—of the waiting period provided by law and the premerger notification rules. The listing includes the transaction number and the parties to the transaction. The Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice made the grants. Neither agency intends to take any action with respect to this proposed acquisitions during the applicable waiting period.

EARLY TERMINATION GRANTED

06/03/2022		
20220800	G	General Dynamics Corporation; Walter P. Kitonis, III; Progeny Systems Corporation.
20212748	G	The Big Sky Trust; Welbilt, Inc.

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division, Department of Justice.

[FR Doc. 2022–12626 Filed 6–10–22; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—The Open Group, L.L.C.

Notice is hereby given that, on May 23, 2022, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), The Open Group, L.L.C. (''TOG'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, ADAGA Solutions, Ltd, Calgary, CANADA; Alfahive, Inc., Mississauga, CANADA; Analog Devices, Inc., Chelmsford, MA; Avancier Limited, New Malden, UNITED KINGDOM; BusCorp Inc., Calgary, CANADA; C-Risk, Paris La Defense Cedex, FRANCE; Crystal Group, Hiawatha, IA; DUG Technology (Australia) Pty Ltd, Perth, AUSTRALIA; ETNIC—Fédération Wallonie-Bruxelles, Bruxelles, BELGIUM; Expeditionary Engineering, Inc, San Diego, CA; Geologix Limited, Norwich, UNITED KINGDOM; GeoSoftware C.V., The Hague, THE NETHERLANDS; Glex AS, Bergen, NORWAY; II–VI Aerospace & Defense, Inc., Murrieta, CA; ITT Cannon LLC, Irvine, CA; Kyndryl, New York, NY; Leonardo DRS, Arlington, VA; Lloyd's Register Digital Products Limited, Aberdeen, UNITED KINGDOM; Makel Engineering, Inc., Chico, CA; Nasuni Corporation, Boston, MA; Octo Security PTE LTD, Dubai, UNITED ARAB EMIRATES; Petroware AS, Stavanger, NORWAY; PIARA Inc., Pittsburgh, PA; Prores AS, Trondheim,NORWAY; Quantic Electronics, LLC, East Providence, RI; SARL SMARTEST, Ouled Fayet, ALGIERS; SI12 Technologies, Billerica, MA; The EOSYS Group, Inc., Smyrna, TN; Tracy A Barkhimer Acquisition Strategies & Consulting, LLC, White Salmon, WA; U.S. Army Project Manager, Positioning, Navigation and Timing (PM PNT), Aberdeen Proving Ground, MD; Variable Software, Inc., Denver, CO; VMWare Inc., Palo Alto, CA; Web Age Solutions Inc., Toronto, CANADA; and Wellsite Software LLC, Houston, TX, have been added as parties to this venture.

Also, Ascendant Engineering Solutions, Austin, TX; Beyond Limits, Inc., Glendale, CA; Buurst, Inc., Houston, TX; CCTI SAS Consultoria en Technologia, Bogota, COLOMBIA; D2IQ, Inc., San Francisco, CA; Data Gumbo Corporation, Houston, TX; Dawan, Nantes, FRANCE; Devoteam Consulting A/S, Copenhagen, DENMARK; Digital Business Consulting LLC; McKinney, TX; DRS Training & Control Systems, LLC, Fort Walton Beach, FL; DT360, Inc., Natick, MA; Dux Diligens S.A. de C.V., Mexico City, MEXICO; Energy Systems Catapult Limited, Birmingham, UNITED KINGDOM; HIMA Paul Hildebrandt GmbH, Houston, TX; IBISKA Telecom, Inc., Ottawa, CANADA; Infinite Dimensions Integration, Inc., West Plains, MO; Merck KGaA, Molsheim, FRANCE; Netmind SL, Barcelona, SPAIN; Perspecta Labs, Inc., Red Bank, NJ; Rapid Imaging Software, Inc., Albuquerque, NM; Real Time Automation Inc., Pewaukee, WI; Samson Aktieneegesellschaft, Frankfurt, GERMANY; SYSGO AG, Klein-Winternheim, GERMANY; University of Denver, Alexandria, VA; and Wavekoda, The Hague, THE NETHERLANDS, have withdrawn as parties to this venture.

Additionally, ABB Automation has changed its name to ABB AG, Minden, GERMANY; Cegal AS to CegalSYSCO AS, Stavanger, NORWAY; Spirit Energy Norway to Sval Energi AS, Stavanger, NORWAY and Perecon AS to Resbridge AS, Bergen, NORWAY.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and TOG intends

to file additional written notifications disclosing all changes in membership.

On April 21, 1997, TOG filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 13, 1997 (62 FR 32371).

The last notification was filed with the Department on March 2, 2022. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 15, 2022 (87 FR 14574).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2022–12606 Filed 6–10–22; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 19–24]

Gary A. Matusow, D.O.; Decision and Order

An official of the Drug Enforcement Administration (''Government'') issued an Order to Show Cause (OSC) seeking to deny the pending application for a Drug Enforcement Administration (DEA) Certificate of Registration of Gary Matusow, D.O. (''Respondent'').[1] After a hearing, the Administrative Law Judge (ALJ) recommended that Respondent's application be denied.[2] The Agency agrees with the ALJ's conclusion, and, for the reasons explained below, denies Respondent's application as inconsistent with the public interest under 21 U.S.C. 823(f).

I. Findings of Fact

On November 14, 2018, Respondent submitted an application for a DEA Certificate of Registration. GX 1. Respondent was previously registered with DEA to handle controlled substances but voluntarily surrendered this registration for cause. GX 9.

The Government and Respondent have agreed to fifty-eight stipulations, which are hereby incorporated into the record. *See* RD, at 41–47.

Respondent was previously employed as an osteopathic physician partner at a practice in New Jersey that he shared with a partner, Dr. M.[3] Between August 9, 2015, and January 8, 2017, Respondent filled (or refilled) prescriptions for controlled substances that were issued with Dr. M's DEA registration. Stip. 17–18. Respondent issued each of the prescriptions to himself by calling them into a pharmacy with Dr. M's name. Stip. 19. Respondent picked up each of the prescriptions from the pharmacy. Stip. 20. Respondent is not a patient of Dr. M and was not a patient of his when the prescriptions were issued. Stip. 21.

A. Allegations

The Government argues that Respondent's application for a new DEA registration should be denied because he displayed dishonesty in a number of ways and violated the law.[4] The Government has shown that Respondent obtained controlled substances for his personal use in violation of state law, but the Government's other allegations are not sustained.

1. Respondent Obtained Controlled Substances Without a Valid Prescription in Violation of State Law

The Government has alleged that Respondent violated N.J. Stat. Ann. § 2C:35–10 when he filled the controlled substance prescriptions issued under Dr. M's name and DEA registration number. Under N.J. Stat. Ann. § 2C:35–10, it is ''unlawful for any person, knowingly or purposely, to obtain . . . a controlled dangerous substance . . . unless the substance was obtained directly, or pursuant to a valid prescription or order form from a practitioner, while acting in the course of his professional practice . . . .''

Respondent admits that he obtained controlled substances pursuant to prescriptions authorized by Dr. M and under Dr. M's DEA registration despite not being a patient of Dr. M. *See* Stip. 21. Respondent testified that when he asked Dr. M for authorization to call in the prescriptions under Dr. M's name, Respondent knew he should have been a patient of the practice and that the discussion between Respondent and Dr. M about his health issues should have been documented in a patient chart. Tr. 358–59; *see* N.J. Admin. Code § 13:35–7.1A (''[A] practitioner shall not dispense drugs or issue a prescriptions to an individual . . . without first having conducted an examination, which shall be properly documented in the patient record.''). Respondent also admitted that he knew the prescriptions did not comply with state and federal regulations. *See* Tr. 456–59. When asked if he believed Dr. M had taken ''those steps that you have to take before you prescribe controlled substances,'' Respondent responded that he did not and that he thought that he and Dr. M were both negligent. *Id.* at 456. He also testified that he knew the Dr. M prescriptions were ''off the books'' and that they exposed Dr. M to professional and potential criminal liability. *Id.* at 456–57.

Based on Respondent's admissions during the administrative hearing, the Agency finds that he knew the subject prescriptions were not valid prescriptions issued in the usual course of Dr. M's professional practice. Accordingly, the Agency finds that Respondent violated N.J. Stat. Ann. § 2C:35–10.

2. Allegation That Respondent Used Dr. M's DEA Registration To Fraudulently Obtain Controlled Substances

The Government has alleged that Respondent fraudulently obtained controlled substances by using Dr. M's DEA registration number without Dr. M's authorization in violation of federal law (21 U.S.C. 843(a)(3)) and state law (N.J. Stat. Ann. § 2C:35–10). Dr. M and Respondent gave conflicting testimony as to whether Dr. M authorized Respondent's use of Dr. M's registration to obtain these controlled substances. The ALJ was in the best position to observe the demeanor of the witnesses, and having considered his credibility determinations in light of the ''consistency and inherent probability of the testimony,'' the Agency adopts the ALJ's findings regarding Dr. M's and Respondent's testimony on this issue. *See Universal Camera Corp.* v. *NLRB,* 340 U.S. 474, 496 (1951); *see also* Tr. 242–43; RD, at 77–78, 85–88. Accordingly, the Agency finds no violation of these laws.[5]

[1] Administrative Law Judge Exhibit (ALJX) 1 (OSC).

[2] *See* Recommended Rulings, Findings of Fact, Conclusions of Law, and Decision of the Administrative Law Judge (''Recommended Decision'' or ''RD''). Respondent filed Exceptions, but later asked to withdraw them. Resp Notice to Dismiss, at 2–3. The Agency is granting Respondent's request to withdraw his Exceptions, but declining Respondent's request to adopt the Recommended Decision and instead issuing a Final Order based on consideration of the record in its entirety.

[3] Stip. 14. Respondent's partner's name has been replaced with his initial.

[4] Govt Posthearing, at 3. In its Posthearing Brief, the Government also alleged that Respondent issued a prescription for phentermine, a controlled substance, in violation of N.J. Admin. Code § 13.35–7.5A(b) and 21 CFR 1306.04. This allegation is not sustained because its legal grounds were not properly noticed.

[5] The Government has also alleged that Respondent's conduct violated 21 U.S.C. 843(a)(2). Govt Posthearing, at 27. This provision was not fully briefed until after the RD. *See* Resp Exceptions, at 13–15; Govt Response to Resp Exceptions, at 11–15. The Agency declines to make a finding on this criminal violation because the factual record in this case has not been developed sufficiently to determine how section 843(a)(2) applies.