LLC, Sterling, VA, have been added as parties to this venture.

Also, Avaya Federal Solutions, Fairfax, VA; Bowhead Professional Solutions LLC, Springfield, VA; ClearShark LLC, Hanover, MD; Computer Technologies Consultants, Inc., McLean, VA; Dux Global, Inc. dba EXEPRON, Lafayette, LA; Ellis & Watts Global Industries, Inc., Batavia, OH; Ericsson, Inc., Plano, TX; Exium, Inc., Allen, TX; Federated Wireless, Inc., Arlington, VA; Feith Systems & Software, Inc., Fort Washington, PA; Home2Office Computing Solutions, Inc. dba C3 Networx, San Diego, CA; INDUS Technology, Inc., San Diego, CA; InterSystems Corp., Cambridge, MA; IT Consulting Partners LLC, Jackson, WY; McAfee Public Sector LLC, Columbia, MD; MFGS, Inc., McLean, VA; MicroStrategy Services Corp., Vienna, VA; Octo Consulting Group, Inc., Reston, VA; Perspecta, Inc., Chantilly, VA; ReefPoint Group LLC, Annapolis, MD; SecureG, Inc., Herndon, VA; Sertainty Corp., Nashville, TN; ThunderCat Technology LLC, Reston, VA; Two Six Labs LLC, Arlington, VA; Ultramain Systems, Inc., Albuquerque, NM; and Ventech Solutions, Inc., Columbus, OH, have withdrawn as parties to this venture.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 IWRP intends to file additional written notifications disclosing all changes in membership.

On October 15, 2018, IWRP 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 October 23, 2018 (83 FR 53499).

The last notification was filed with the Department on April 3, 2024. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on June 21, 2024 (89 FR 52097).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2024–23603 Filed 10–10–24; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Mobile Satellite Services Association

Notice is hereby given that, on July 23, 2024, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Mobile Satellite Services Association (''MSSA'') 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, Digital Locations Inc., Watchung, NJ; ULAK HABERLESME A.S., Çankaya, TURKEY; and Druid Software, Bray, IRELAND, have joined as parties to the venture.

No other changes have been made in either the membership or the planned activity of the venture. Membership in MSSA remains open and MSSA intends to file additional written notifications disclosing all changes in membership.

On April 26, 2024, the Joint Venture 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 21, 2024 (89 FR 52089).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2024–23590 Filed 10–10–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Pistoia Alliance, Inc.

Notice is hereby given that, on August 21, 2024, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (the ''Act''), Pistoia Alliance, Inc. 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, Osthus GmbH, Aachen, GERMANY; QunaSys, Bunkyo, JAPAN; BioLizard, Gent, BELGIUM; and Medable, Palo Alto, CA, have withdrawn as parties 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 Pistoia Alliance, Inc. intends to file additional written notifications disclosing all changes in membership.

On May 28, 2009, Pistoia Alliance, Inc. 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 July 15, 2009 (74 FR 34364).

The last notification was filed with the Department on May 28, 2024. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on June 28, 2024 (89 FR 54046).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2024–23618 Filed 10–10–24; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Rust Foundation

Notice is hereby given that, on August 12, 2024, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Rust Foundation 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, Accelerant Limited, Lower Hutt, NEW ZEALAND; Astral Software Inc., Brooklyn, NY; and Zed Industries, Denver, CO, have been added as parties to this venture.

Also, ParaState Labs, Inc., Lewes, DE, 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 Rust Foundation intends to file additional written notifications disclosing all changes in membership.

On April 14, 2022, Rust Foundation 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 May 13, 2022 (87 FR 29384).

The last notification was filed with the Department on June 3, 2024. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on June 24, 2024 (89 FR 52509).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2024–23620 Filed 10–10–24; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Michael Berman, D.O.; Decision and Order

On July 6, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Michael Berman, D.O., of Rancho Mirage, California (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, Attachment A, at 1, 10. The OSC proposed the revocation of Registrant's DEA Certificate of Registration (registration) No. BB3337905, alleging that Registrant has committed such acts as would render his registration inconsistent with the public interest. *Id.* at 2–3 (citing 21 U.S.C. 823(g)(1), 824(a)(4)).

The OSC notified Registrant of his right to file with DEA a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* at 8–9 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing. RFAA, at 2.[1] ''A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67.'' *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

I. Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are admitted.[2] Registrant is deemed to have admitted, and the Agency finds, that from at least January 12, 2021, through at least August 26, 2021, Registrant issued numerous controlled substance prescriptions to undercover DEA Task Force Officers without first conducting an appropriate evaluation, performing a physical examination, taking a patient history, establishing a proper medical justification, or obtaining informed consent. RFAAX 1, Attachment A, at 2–8. Registrant further admits, and the Agency finds, that after prescribing, Registrant failed to properly monitor the undercovers by appropriately addressing red flags of abuse and diversion. *Id.*

A. Prescribing to UC1

Between January 12, 2021, and August 26, 2021, Registrant issued prescriptions for mixed amphetamine salts 30 mg, a Schedule II stimulant, and hydrocodone/acetaminophen 10/325 mg, a Schedule II opioid, to an undercover DEA Task Force Officer (UC1). RFAAX 1, Attachment A, at 3.

On January 12, 2021, February 18, 2021, April 2, 2021, and June 24, 2021, Registrant prescribed UC1 mixed amphetamine salts 30 mg to treat Attention Deficit Hyperactivity Disorder (ADHD), but repeatedly did so without conducting an appropriate evaluation. *Id.* at 3–5. Specifically, Registrant: (1) failed, during the initial visit, to address UC1's ADHD questionnaire, despite UC1 reporting minimal symptoms of ADHD; (2) repeatedly failed to perform adequate physical examinations of UC1; and (3) repeatedly failed to take a patient history. *Id.* Accordingly, Registrant repeatedly failed to establish a proper medical justification for prescribing mixed amphetamine salts to UC1. *Id.* Registrant also repeatedly failed to obtain UC1's informed consent by informing UC1 of the benefits, risks, and reasons for prescribing mixed amphetamine salts. *Id.*

On July 23, 2021, and August 26, 2021, Registrant prescribed UC1 mixed amphetamine salts 30 mg and hydrocodone/acetaminophen 10/325 mg, but in both instances did so without conducting an appropriate evaluation. *Id.* at 5–6. In both instances, Registrant again failed to perform an adequate physical examination of UC1 and failed to take a patient history. *Id.* Accordingly, Registrant failed in both instances to establish a proper medical justification for prescribing mixed amphetamine salts and hydrocodone/acetaminophen to UC1. *Id.* Registrant also failed in both instances to obtain UC1's informed consent by informing UC1 of the benefits, risks, and reasons for prescribing mixed amphetamine salts and hydrocodone/acetaminophen. *Id.*

Throughout Registrant's treatment of UC1, Registrant failed to properly monitor UC1's medication compliance and failed to appropriately address red flags of abuse and/or diversion. *Id.* at 3–6. Specifically, when UC1 tested negative for all drugs on a urine drug test, despite reporting that he/she was taking mixed amphetamine salts and hydrocodone/acetaminophen, Registrant failed to discuss the test results with UC1. *Id.* at 3. Further, Registrant repeatedly failed to address UC1's regular receipt of the highest dosages of oxycodone, hydrocodone/, alprazolam, carisoprodol, and mixed amphetamine salts from different physicians, as indicated on the California Controlled Substance Utilization, Review and Evaluation System (CURES). *Id.* at 3–6.[3] Finally, when provided with UC1's prior medical file, Registrant failed to address the diversion red flag that UC1 tried hydrocodone/acetaminophen and carisoprodol (''Soma'') that he/she had obtained from a friend. *Id.* at 5.

B. Prescribing to UC2

Between February 9, 2021, and April 20, 2021, Registrant issued prescriptions for mixed amphetamine salts 30 mg to an undercover DEA Special Agent (UC2). *Id.* at 6.

On February 9, 2021, March 10, 2021, and April 20, 2021, Registrant prescribed UC2 mixed amphetamine

[1] Based on the Government's submissions in its RFAA dated October 16, 2023, the Agency finds that service of the OSC on Registrant was adequate. Specifically, the Declaration from a DEA Diversion Investigator (DI) indicates that on July 12, 2023, the DI personally left a copy of the OSC along with her business card at Registrant's registered address. RFAAX 1, at 1–2. The DI also stated in her Declaration that on August 22, 2023, Registrant's attorney contacted her and noted that Registrant received the OSC and business card. *Id.* at 2. Additionally, the Declaration from a DEA Group Supervisor (GS) indicates that on July 14, 2023, the GS sent a copy of the OSC via certified mail to Registrant's registered address and emailed a copy of the OSC to Registrant's registered email address. RFAAX 2, at 2; *see also id.,* at Attachment A.

[2] The Agency need not adjudicate the criminal violations alleged in the instant OSC. *Ruan* v. *United States,* 142 S. Ct. 2,370 (2022) (decided in the context of criminal proceedings).

[3] Registrant also failed to address that: (1) UC1 received hydrocodone/acetaminophen from a different physician between the January 12, 2021, and February 18, 2021 visits; (2) UC1 received alprazolam, hydrocodone/acetaminophen, and mixed amphetamine salts from different physicians between the February 18, 2021, and April 2, 2021 visits; and (3) UC1 received alprazolam, hydrocodone/acetaminophen, and mixed amphetamine salts from different physicians between the April 2, 2021, and June 24, 2021 visits. *Id.* at 4–5.