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### UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of	) Docket No. 9327	
Polypore International, Inc. a corporation.	) ) PUBLIC DOCUMEN	T
	)	

# MOTION TO EXTEND RESPONDENT'S TIME TO RESPOND TO COMPLAINT AND TO SET DATE FOR INITIAL SCHEDULING CONFERENCE

Counsel for Respondent moves to extend the time for Respondent to answer or otherwise respond to the Complaint and to set an initial scheduling conference in this matter. Currently, Respondent's response to the Complaint is due October 6, 2008. Respondent seeks, by this motion, to extend the Respondent's time to file an answer or otherwise respond to October 20, 2008. Subject to the Administrative Law Judge's convenience and the availability of Complaint Counsel, Respondent respectfully requests an initial scheduling conference be set for October 22 or 23, 2008.

The extension of Respondent's time to respond to the Complaint is warranted due to the complex nature of the allegations in the Complaint and Respondent's retention of the undersigned counsel upon the commencement of this litigation. Although the rules do not require an initial scheduling conference until fourteen (14) days after the answer has been filed, the setting of an earlier initial scheduling conference may facilitate the smooth administration of the case.

Respondent contacted Complaint Counsel to determine whether Complaint Counsel would join in a joint motion to extend the time to answer or object to such a request. Complaint

Counsel responded that it would not join the motion, but would not object to "a short extension of time" on the condition that Respondent would not request a delay in discovery or the trial date. Respondent cannot agree to such conditions for a host of reasons. Respondent will set forth those reasons in detail in a motion regarding discovery and the trial date that will be filed

shortly.

Simultaneously with the filing of this motion, Respondent is also filing a motion for a more definite statement. The decision on that motion may affect the relief requested in this motion. If that motion is granted, Respondent would request that it have the greater of October 20, 2008, or consistent with Rule 3.12(9)(2), ten (10) days after service of the more definite statement, as the time by which it must answer or otherwise respond. Respondent would not change the dates for a scheduling conference on either October 22 or 23, 2008, irrespective

WHEREFORE, for these and such other reasons as may appear just to the Court, Respondent requests that this Motion to Extend Respondent's Time to Respond to Complaint and to Set Date for Initial Scheduling Conference be granted, and that the attached Order be entered.

of the Court's decision on the motion for a more definite statement.

Dated: September 21, 2008

Respectfully submitted,

William L. Rikard, Jr.

Eric D. Welsh

Parker Poe Adams & Bernstein, LLP

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Three Wachovia Center

401 South Tryon Street, Suite 3000

Charlotte, NC 28202

Telephone: (704) 335-9011

Facsimile: (704) 334-4706

John F. Graybeal Parker Poe Adams & Bernstein, LLP Wachovia Capitol Center 150 Fayetteville Street, Suite 1400 Raleigh, NC 27601 Telephone: (919) 835-4599 Facsimile: (919) 834-4564

#### **CERTIFICATE OF SERVICE**

I hereby certify that on September 25, 2008, I caused to be filed via hand delivery and electronic mail delivery an original and one copy of the foregoing *Motion to Extend Respondent's Time to Respond to Complaint and to Set Date for Initial Scheduling Conference*, and that the electronic copy is a true and correct copy of the paper original and that a paper copy with an original signature is being filed with:

Donald S. Clark, Secretary
Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW, Rm. H-135
Washington, DC 20580
secretary@ftc.gov

I hereby certify that on September 25, 2008, I served via hand delivery and first-class mail delivery a copy of the foregoing *Motion to Extend Respondent's Time to Respond to Complaint and to Set Date for Initial Scheduling Conference* with:

The Honorable D. Michael Chappell Administrative Law Judge Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580

I hereby certify that on September 25, 2008, I served via first-class mail delivery and electronic mail delivery a copy of the foregoing *Motion to Extend Respondent's Time to Respond to Complaint and to Set Date for Initial Scheduling Conference* with:

J. Robert Robertson, Esq. Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 rrobertson@ftc.gov Steven Dahm, Esq. Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 sdahm@ftc.gov

Adam C. Shearer

Parker Poe Adams & Bernstein LLP

Three Wachovia Center

401 South Tryon Street, Suite 3000

Charlotte, NC 28202

Telephone: (704) 335-9050 Facsimile: (704) 334-4706

### UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of		
Polypore International, Inc. a corporation.	) ) ) PUBLIC DOCUMENT ))	
ORDER		
Upon consideration of the Motion	to Extend Respondent's Time to Respond to	
Complaint and to Set Date for Initial Scheduling Conference and the Court being fully informed,		
it is hereby		
ORDERED that the Motion be GRANTED and that the Respondent shall answer or		
otherwise respond to the complaint on or before October 20, 2008, and that the scheduling		
conference shall be held October, 2008, at		
	The Honorable D. Michael Chappell Chief Administrative Law Judge (Acting)	
September, 2008		