



Complaint Counsel's Rebuttal Brief would be due on or before January 7, 2005.

Respondents indicate that "because of long-standing family commitments and travel plans, the proximity of the briefing schedule to the Thanksgiving, Christmas and New Years holidays would work substantial inconvenience and hardship on some of the counsel involved in this matter." Respondents therefore request that the Commission grant an extension of time for the filing of each of the appellate briefs. Respondents advise that Complaint Counsel have authorized them to state that they have no objection to the granting of the relief they request.

The Commission has determined to grant Respondents' motion. The time periods prescribed by the Commission Rules of Practice ordinarily should afford parties to FTC proceedings sufficient time to file pleadings and briefs of sufficient quality and detail to aid in the preparation of Commission opinions and orders. The proximity of the current briefing schedule to the Thanksgiving, Christmas and New Year's holidays, however, may interfere with that process. Accordingly,

**IT IS ORDERED THAT** (1) Respondents shall file their Appeal Brief on or before November 3, 2004, and (2) the appeal of Respondents shall be deemed perfected "by the timely filing of an appeal brief," for purposes of Commission Rule 3.51(a), 16 C.F.R. § 3.51(a), if Respondents file their Appeal Brief by that date;

**IT IS FURTHER ORDERED THAT** (1) Complaint Counsel shall file their Answering and Cross-Appeal Brief on or before December 7, 2004, and (2) Complaint Counsel's cross-appeal shall be deemed perfected "by the timely filing of an appeal brief" if Complaint Counsel file their Answering and Cross-Appeal Brief by that date, whether or not Respondents have previously perfected their appeal;

**IT IS FURTHER ORDERED THAT** Respondents shall file their Answering and Reply Brief on or before January 6, 2005; and

**IT IS FURTHER ORDERED THAT** Complaint Counsel shall file their Rebuttal Brief on or before January 18, 2005.

By the Commission.

Donald S. Clark  
Secretary

ISSUED: October 19, 2004