UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION OFFICE OF ADMINISTRATIVE LAW JUDGES



ocket No. 9318

ORDER ON COMPLAINT COUNSEL'S MOTION TO STAY RESPONSE TO PARTS OF RESPONDENTS' SECOND MOTION TO COMPEL AND FOR EXTENSION OF TIME TO RESPOND TO RESPONDENTS' SECOND MOTION TO COMPEL

On October 21, 2004, Complaint Counsel filed a motion to stay response to parts of Respondents' second motion to compel and for an extension of time to respond to Respondents' second motion to compel. On October 25, 2004, Respondents' filed an opposition to the motion.

Complaint Counsel seeks a stay of their response to portions of Respondents' second motion to compel that are implicated by the currently pending motion to strike. Complaint Counsel also seeks an extension from October 25, 2004 until November 3, 2004 to respond to the remainder of Respondents' motion to compel based on other deadlines in this case. Respondents argue that Complaint Counsel is improperly seeking to evade their discovery obligations and that a stay would adversely impact the parties' ability to comply with the Scheduling Order. Respondents do not indicate whether they oppose the portion of the motion that seeks an extension.

Complaint Counsel has not demonstrated sufficient grounds for a stay. To the extent that Respondents' second motion to compel may be implicated by the currently pending motion to strike, those issues may be addressed by Complaint Counsel in their response. Upon consideration of the arguments, Complaint Counsel's motion is **GRANTED in part and DENIED in part**. Complaint Counsel shall file their response to Respondents' second motion to compel on or before November 3, 2004.

ORDERED:

Stephen J. McGuife

Chief Administrative Law Judge

CONTRACTOR STATE

Date: October 26, 2004