

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

In the Matter of)

BASIC RESEARCH, L.L.C,)

A.G. WATERHOUSE, L.L.C.,)

KLEIN-BECKER USA, L.L.C.,)

NUTRASPORT, L.L.C.,)

SOVAGE DERMALOGIC LABORATORIES, L.L.C.,)

d/b/a BASIC RESEARCH, L.L.C.,)

OLD BASIC RESEARCH, L.L.C.,)

BASIC RESEARCH, A.G. WATERHOUSE,)

BAN, L.L.C.,)

d/b/a KLEIN-BECKER USA, NUTRA SPORT, and)

SOVAGE DERMALOGIC LABORATORIES,)

DENNIS GAY,)

DANIEL B. MOWREY,)

d/b/a AMERICAN PHYTOTHERAPY RESEARCH)

LABORATORY, and)

MITCHELL K. FRIEDLANDER)

DOCKET NO. 9318

REQUEST FOR ENLARGEMENT OF TIME

Respondents Basic Research, LLC, A.G. Waterhouse, LLC, Klein-Becker USA, LLC, Nutrasport, LLC, Sövage Dermalogic Laboratories, LLC, Ban, LLC, Dennis Gay, Daniel B. Mowrey, Ph.D and Mitchell K. Friedlander (collectively “Respondents”), hereby file this Request for Enlargement of Time to Respond to Discovery (“Request for Enlargement”), and in support thereof state as follows.

1. On June 25, 2004, pursuant to Rule of Practice 3.37(a) and Rule of Practice 3.35, Complaint Counsel served its First Request for Production of Documentary Materials and Tangible Things ("First Document Requests") and First Set of Interrogatories ("First Interrogatories"), respectively.

2. Pursuant to these Rules, Respondents were given thirty (30) days to respond to the First Interrogatories and Complaint Counsel stipulated that responses to the First Document Requests would be due in twenty (20) days.

3. Based on the nature and extent of the requested discovery, undersigned counsel contacted Complaint Counsel Lauren Kapin, Esq. to request a brief extension on behalf of Respondents.


4. Complaint Counsel agreed to extend the deadlines to August 3, 2004 for the responses to the First Document Requests and August 12, 2004 for the responses to the First Interrogatories. Complaint Counsel later confirmed telephonically that this extension would also apply to all Respondents, including Mitchell K. Friedlander. On July 12, 2004, undersigned counsel sent a letter to Complaint Counsel confirming that the enlargement would apply to all Respondents in this action.

5. Pursuant to Rule of Practice 3.35, the Administrative Law Judge may allow shorter or longer time to respond to the Interrogatories. Similarly, under Rule of Practice 4.3, the Administrative Law Judge may extend any time limit prescribed or allowed by the Rules.

6. Accordingly, undersigned counsel, on behalf of all Respondents, respectfully request that the time to respond to the First Document Requests be enlarged up to and including August 3, 2004, and the time to respond to the First Interrogatories be enlarged up to and including August 12, 2004.

7. A proposed order is attached.

Respectfully submitted,



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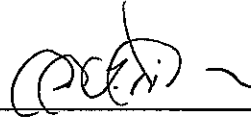
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was provided to the following parties this 16th day of July, 2004 as follows:

- (1) The original and one (1) copy by Federal Express to Donald S. Clark, Secretary, Federal Trade Commission, Room H-159, 600 Pennsylvania Avenue, N.W., Washington, D.C., 20580;
- (2) One (1) electronic copy via e-mail attachment in Adobe[®] “.pdf” format to the Secretary of the FTC at Secretary@ftc.gov;
- (3) Two (2) copies by U.S. Postal Service to Administrative Law Judge D. Michael Chappell, Federal Trade Commission, Room H-106, 600 Pennsylvania Avenue N.W., Washington, D.C. 20580;
- (4) One (1) copy via e-mail attachment in Adobe[®] “.pdf” format to Commission Complaint Counsel, Laureen Kapin, Joshua S. Millard, and Laura Schneider, all care of lkapin@ftc.gov, with one (1) paper courtesy copy via U.S. Postal Service to Laureen Kapin, Bureau of Consumer Protection, Federal Trade Commission, Suite NJ-2122, 600 Pennsylvania Avenue, N.W., Washington, D.C., 20580;
- (5) One (1) copy via U. S. Postal Service to Elaine Kolish, Associate Director in the Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580
- (6) One (1) copy each via U.S. Postal Service, separately, to Basic Research, LLC, Klein-Becker, LLC, BAN, LLC, Dennis Gay, Mitchell K. Friedlander, and Daniel B. Mowrey, Ph.D., each c/o the Compliance Department, Basic Research, LLC, 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116.

CERTIFICATION FOR ELECTRONIC FILING

I HEREBY CERTIFY that the electronic version of the foregoing is a true and correct copy of the original document being filed this same day of July 16th, 2004 via Federal Express with the Office of the Secretary, Room H-159, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

A handwritten signature in black ink, appearing to be "P. J. ...", is written above a solid horizontal line.

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LABORATORY, and)
)
MITCHELL K. FRIEDLANDER)
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DOCKET NO. 9318

ORDER ON REQUEST FOR ENLARGEMENT OF TIME

THIS CAUSE came before the Administrative Law Judge for the Federal Trade Commission on Respondents' Request for Enlargement of Time ("Request for Enlargement") to respond to Complaint Counsel's First Request for Production of Documentary Materials and Tangible Things ("First Document Requests") and First Set of Interrogatories ("First Interrogatories"). Having carefully reviewed the Request for Enlargement and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that Respondents' Request for Enlargement is hereby GRANTED. All Respondents shall have up to and including August 3, 2004 to respond to the First Document Requests and up to and including August 12, 2004 to Respond to the First Interrogatories.

DONE AND ORDERED this _____ day of July, 2004.

D. Michael Chappell
Administrative Law Judge

Copies furnished to:
All counsel of record