

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

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.,
BAN, L.L.C.,
DENNIS GAY,
DANIEL B. MOWREY, and
MITCHELL K. FRIEDLANDER,**

Respondents.

Docket No. 9318

PUBLIC DOCUMENT

TO: The Honorable Stephen J. McGuire
Chief Administrative Law Judge

**COMPLAINT COUNSEL'S MOTION FOR EXTENSION OF TIME
TO FILE RESPONSES TO INTERROGATORIES**

Complaint Counsel moves to extend the time to respond to Respondents' First Set of Interrogatories from August 24, 2004, to August 27, 2004, and in support thereof state as follows:

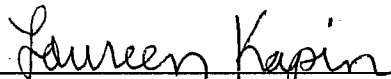
1. On July 23, 2004, Respondent Basic Research served its First Set of Interrogatories. The responses are currently due on August 24, 2004.
2. Pursuant to Rule of Practice 3.35, the Administrative Law Judge may allow a shorter or longer time to respond to Interrogatories. Similarly, under Rule of Practice 4.3, the Administrative Law Judge may extend any time limit prescribed or allowed by the Rules.
3. On August 23, 2004, Complaint Counsel, Laureen Kapin, discussed the relief sought in

this Request with counsel for Respondents, Mr. Gregory L. Hillyer. Respondents had no objection to the requested extension.

4. Good cause exists to justify this brief extension because Complaint Counsel's time to prepare its responses to Basic Research's interrogatories fell within the same time period in which Complaint Counsel was responding to Respondents' motion to quash, motion for interlocutory appeal, and request for documents. During this same time period, Complaint Counsel was also negotiating the protective order and scheduling order, and preparing for the initial hearing in this matter.

4. A proposed order is attached hereto for the Court's convenience.

Respectfully submitted by:



Laureen Kapin (202) 326-3237
Joshua S. Millard (202) 326-2454
Robin M. Richardson (202) 326-2798
Laura Schneider (202) 326-2604

Division of Enforcement
Bureau of Consumer Protection
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
COUNSEL SUPPORTING THE COMPLAINT

Date: August 23, 2004

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TO: The Honorable Stephen J. McGuire
Chief Administrative Law Judge

ORDER ON MOTION TO EXTEND TIME

THIS CAUSE came before the Administrative Law Judge on Complaint Counsels' Motion To Extend Time to respond to Respondents' First Set of Interrogatories. Having carefully reviewed the Motion and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that Complaint Counsels' Motion to Extend Time is hereby GRANTED. Complaint Counsel shall have up to and including August 27, 2004, to respond to Respondents' First Set of Interrogatories.

DONE AND ORDERED this _____ day of August, 2004.

Stephen J. McGuire
Administrative Law Judge

Copies furnished to:
All counsel of record

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of August, 2004, I caused *Complaint Counsel's Motion for Extension of Time to Respond to Respondents' First Set of Interrogatories* to be served and filed as follows:

- (1) the original, two (2) paper copies filed by hand delivery and one (1) electronic copy via email to:

Donald S. Clark, Secretary
Federal Trade Commission
600 Penn. Ave., N.W., Room H-159
Washington, D.C. 20580

- (2) two (2) paper copies served by hand delivery to:

The Honorable Stephen J. McGuire
Administrative Law Judge
600 Penn. Ave., N.W., Room H-104
Washington, D.C. 20580

- (3) one (1) electronic copy via email and one (1) paper copy by first class mail to the following persons:

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COMPLAINT COUNSEL