

**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

Respondents.

DOCKET NO. 9318

**PRO SE RESPONDENT FRIEDLANDER'S NOTICE OF ADOPTION OF
RESPONDENTS BASIC RESEARCH, LLC, A.G. WATERHOUSE, LLC, KLEIN-
BECKER USA, LLC, NUTRASPORT, LLC, SOVAGE DERMALOGIC
LABORATORIES, LLC, DENNIS GAY AND DANIEL MOWREY'S RESPECTIVE
RESPONSES TO COMPLAINT COUNSEL'S MOTION FOR PROTECTIVE ORDER
TO LIMIT RESPONDENTS' DISCOVERY OR, IN THE ALTERNATIVE, TO
CLARIFY SCHEDULING ORDER**

INTRODUCTION

Complaint Counsel commenced this action against Respondent Friedlander, individually, six companies and two other individuals. On August 11, 2004, a Scheduling Order was entered by the court providing that "*each party*" was limited to propounding 60 interrogatories, 60 document requests and 60 requests for admissions. On October 29, 2004, counsel for party

Dennis Gay propounded 27 interrogatories, 11 document requests and 54 requests for admissions. Complaint Counsel, however, has refused to respond to any of the discovery requests and has instead asked that the court change its order to limit Respondents collectively to 60 of each type of discovery requests, rather than per party.

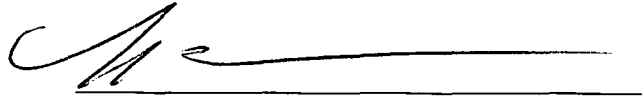
Because the position adopted by Complaint Counsel threatens to prejudice the rights of each party to this litigation, Respondent Friedlander files this response. Respondent Friedlander adopts the arguments raised in corporate Respondents Notice of Adoption of Respondents Dennis Gay and Daniel Mowrey's Respective Responses to Complaint Counsel's Motion for Protective Order to Limit Respondents' Discovery or, in the Alternative, to Clarify Scheduling Order. Respondent Friedlander also adopts the arguments raised in Respondent Dennis Gay's Reply Memorandum in Opposition to Complaint Counsel's Motion for Protective Order to Limit Respondent's Discovery or, in the Alternative, to Clarify Scheduling Order. Finally, Respondent Friedlander also adopts the arguments raised in Respondent Daniel B. Mowrey's Response to Complaint Counsel's Motion for Protective Order to Limit Respondent's Discovery or, in the Alternative, to Clarify Scheduling Order. Accordingly, for the sake of brevity, the arguments made by those Respondents will not be repeated.

CONCLUSION

For the arguments incorporated herein, it is respectfully submitted that Complaint Counsel's motion for a protective order should be denied.

DATED this 16th day of November, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Friedlander', is written over a horizontal line.

Mitchell K. Friedlander
c/o Compliance Department
5742 West Harold Gatty Drive
Salt Lake City, Utah 84116
Telephone: (801) 414-1800
Facsimile: (801) 517-7108

Pro Se Respondent

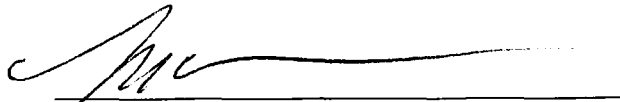
CERTIFICATE OF SERVICE

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

1. One (1) original and two (2) copies 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 Federal Express to Administrative Law Judge Stephen J. McGuire, Federal Trade Commission, Room H-104, 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, Lauren Kapin, Joshua S. Millard, Laura Schneider, Robin Richardson, Walter Gross, all care of lkapin@ftc.gov, jmillard@ftc.gov, lschneider@ftc.gov, r-richardson@ftc.gov, wgross@ftc.gov, with one(1) paper courtesy copy via U.S. Postal Service to Lauren 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 via U.S. Postal Service to Jeffrey Feldman, FELDMANGALE, Miami Center, 19th Floor, 201 South Biscayne Blvd., Miami, FL 33131, Counsel for Corporate Respondents;
7. One (1) copy via U.S. Postal Service to Stephen Nagin, NAGIN, GALLOP & FIGUEREDO, 3225 Aviation Avenue, 3rd Floor, Miami, FL 33131;
8. One (1) copy via U.S. Postal Service to Richard Burbidge, Jefferson Gross, and Andrew Dymek, Burbidge & Mitchell, 215 South State Street, Suite 920, Salt Lake City, UT 84111, Counsel for Dennis Gay;
9. One (1) copy via U.S. Postal Service to Ronald F. Price, Peters Scofield Price, 340 Broadway Centre, 111 East Broadway, Salt Lake City, UT 84111, Counsel for Daniel B. Mowrey.

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 November 16, 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.



Mitchell K. Friedlander
c/o Compliance Department
5742 West Harold Gatty Drive
Salt Lake City, Utah 84116
Telephone: 801.414.1800
Facsimile: 801.517.7108

Pro Se Respondent