

**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 Complaint Counsel's First Set of Interrogatories, and in support thereof state as follows.

1. On June 25, 2004, pursuant to Rule of Practice 3.35, Complaint Counsel served its First Set of Interrogatories ("First Interrogatories"). Respondents were given thirty (30) days to respond.

2. Complaint Counsel later agreed to extend the deadline for response to August 12, 2004. Accordingly, on July 16, 2004, Respondents filed a Request for Enlargement of Time, which was granted by the Administrative Law Judge on July 22, 2004. The responses are currently due on August 12, 2004.

3. Unfortunately, there are two storm systems that are due to hit Florida within the next 24 hours: (1) Tropical Storm Bonnie, which will affect the western coast of Florida through Panama City and up through Georgia; and (2) Hurricane Charley, which will affect parts of the Florida Keys up through Naples, Tampa and Clearwater.

4. These storm systems have required lead counsel, Jeffrey Feldman, to travel from Miami, Florida to Naples, Florida. As such, he is unable to review the interrogatory responses prior to the August 12, 2004 deadline.

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. Under the circumstances, Respondents respectfully request a brief extension (two business days) up to and including Monday, August 16, 2004, to file their Responses to the First Interrogatories.

7. On August 12, 2004, Mr. Feldman contacted Complaint Counsel, Lauren Kapin, to discuss the relief sought in this Request. Complaint Counsel had no objection to the requested enlargement and has stipulated that the extension will apply to all Respondents.

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

Respectfully submitted,



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Attorneys for Respondents Basic Research, LLC,
A.G. Waterhouse, LLC, Klein-Becker USA, LLC,
Nutrasport, LLC, Söavage Dermalogic Laboratories,
LLC and Ban, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was provided to the following parties this 12th day of August, 2004 as follows:

(1) One (1) 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 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, Laureen Kapin, Joshua S. Millard, and Laura Schneider, all care of lkapin@ftc.gov, jmillard@ftc.gov; rrichardson@ftc.gov; lschneider@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;

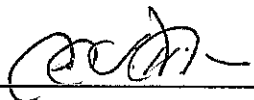
(5) One (1) copy via U. S. Postal Service to Elaine Kolish, Associate Director in the Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580

(6) One (1) copy via United States Postal Service to Stephen Nagin, Esq., Nagin Gallop & Figueredo, 3225 Aviation Avenue, Suite 301, Miami, Florida 33131.

(7) One (1) copy via United States Postal Service to Richard Burbidge, Esq., Jefferson W. Gross, Esq. and Andrew J. Dymek, Esq., Burbidge & Mitchell, 215 South State Street, Suite 920, Salt Lake City, Utah 84111, Counsel for Dennis Gay.


(8) One (1) copy via United States Postal Service to Ronald F. Price, Esq., Peters Scofield Price, A Professional Corporation, 340 Broadway Centre, 111 East Broadway, Salt Lake City, Utah 84111, Counsel for Daniel B. Mowrey.

(9) One (1) copy via United States Postal Service to Mitchell K. Friedlander, 5742 West Harold Gatty Drive, Salt Lake City, Utah 84111, Pro Se.



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 August 12, 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 'C. A. D.', is written above a horizontal line.

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ORDER ON REQUEST FOR ENLARGEMENT OF TIME

THIS CAUSE came before the Administrative Law Judge on Respondents' Request for Enlargement of Time to respond to Complaint Counsel's First Set of 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 of Time is hereby GRANTED. All Respondents shall have up to and including August 16, 2004, to respond to Complaint Counsel's 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