

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.,
 dba BASIC RESEARCH, L.L.C.,
 OLD BASIC RESEARCH, L.L.C.,
 BASIC RESEARCH, A.G. WATERHOUSE,
BAN, L.L.C.,
 dba KLEIN, BECKER, USA, NUTRA SPORT, and
 SOVAGE DERMALOGIC LABORATORIES,
DENNIS GAY,
DANIEL B. MOWREY,
 dba AMERICAN PHYTOTHERAPY RESEARCH
 LABORATORY, and
MITCHELL K. FRIEDLANDER,

Respondents.

DOCKET NO. 9318

**UNOPPOSED MOTION TO EXTEND TIME TO FILE RESPONSE TO COMPLAINT
COUNSEL'S MOTION TO COMPEL**

Respondents, Basic Research, LLC, A.G. Waterhouse, LLC, Klein-Becker USA, LLC, Nutrasport, LLC, Sovage Dermalogic Laboratories, LLC, Ban, LLC, Dennis Gay, Daniel B. Mowrey, Ph.D., and Mitchell K. Friedlander (collectively, "Respondents"), pursuant to 16 C.F.R. § 4.3(b), by and through their counsel of record respectfully submits this Motion to Extend Time to File Response to Complaint Counsel's Motion to Compel Production of Respondents' Testifying Expert Lawrence Solan's Document dated December 13, 2004, and in support thereof, states as follows:

1. On December 13, 2004, Complaint Counsel for the Federal Trade Commission served its Motion to Compel Production of Respondents' Testifying Expert Lawrence Solan's Document. Respondents' opposition is due December 23, 2004.

2. Due to the press of other business matters, Respondents hereby request an extension of time to and including December 29, 2004, within which to respond to Complaint Counsel's Motion to Compel Production of Respondents' Testifying Expert Lawrence Solan's Document.

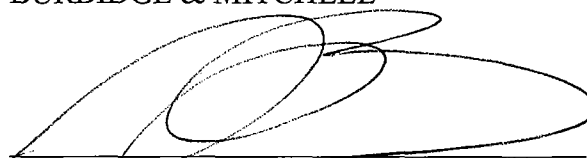
3. Undersigned counsel has conferred with Complaint Counsel to discuss the relief sought in this Motion. Complaint Counsel has no objection to granting Respondents the requested extension of time.

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

DATED this 22nd day of December, 2004.

RESPECTFULLY SUBMITTED

BURBIDGE & MITCHELL

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

RICHARD D. BURBIDGE
Attorneys for Dennis Gay

Unopposed Motion

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2004, I caused the foregoing UNOPPOSED MOTION TO EXTEND TIME TO FILE RESPONSE TO COMPLAINT COUNSEL'S MOTION TO COMPEL to be filed and served as follows:

- (1) an original and two paper copies filed by Federal Express and one electronic copy in PDF format filed by electronic mail to:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW Room H-159
Washington, DC 20580
Email: secretary@ftc.gov

- (2) one paper copy served by Federal Express to:

The Honorable Stephen J. McGuire
Administrative Law Judge
600 Pennsylvania Avenue, NW, Room H-106
Washington, D.C. 20580

- (3) one paper copy by first class U.S. mail and one electronic copy in PDF format by electronic mail to:

Laureen Kapin
Walter C. Gross
Joshua S. Millard
Robin M. Richardson
Laura Schneider
Federal Trade Commission
600 Pennsylvania Ave, NW, Suite NJ-2122
Washington, D.C. 20580
Email: lkapin@ftc.gov

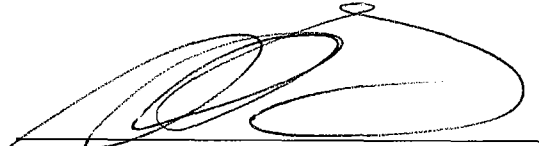
- (4) one paper copy by first class U.S. mail

Elaine D. Kolish
Associate Director, Enforcement
Federal Trade Commission
600 Pennsylvania Ave, NW
Washington, D.C. 20580

Jeffrey D. Feldman
Gregory L. Hillyer
Christopher P. Demetriades
FELDMANGALE, P.A.
201 S. Biscayne Boulevard
Miami, FL 33131

Ronald F. Price
PETERS SCOFIELD PRICE
310 Broadway Center 111 East
Broadway, #1100
Salt Lake City, Utah 84111

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

A handwritten signature in black ink, appearing to read "Richard D. Burbidge", written over a horizontal line.

Richard D. Burbidge
Attorneys for Respondent Dennis Gay

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

In the Matter of

BASIC RESEARCH, L.L.C.,
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DENNIS GAY,
DANIEL B. MOWREY,
 dba AMERICAN PHYTOTHERAPY RESEARCH
 LABORATORY, and
MITCHELL K. FRIEDLANDER,

Respondents.

DOCKET NO. 9318

**ORDER ON AGREED MOTION TO EXTEND TIME TO FILE RESPONSE TO
COMPLAINT COUNSEL'S MOTION TO COMPEL PRODUCTION OF
RESPONDENTS' TESTIFYING EXPERT LAWRENCE SOLAN'S DOCUMENT**

THIS CAUSE came before the Administrative Law Judge for the Federal Trade Commission on Respondents Basic Research, LLC, A.G. Waterhouse, LLC, Klein-Becker USA, LLC, Nutrasport, LLC, Sovage Dermalogic Laboratories, LLC, Ban, LLC, Dennis Gay, Daniel B. Mowrey, Ph.D., and Mitchell K. Friedlander's (collectively, "Respondents") Unopposed Motion to Extend Time to File Response to Complaint Counsel's Motion to Compel Production of Respondents' Testifying Expert Lawrence Solan's Document ("Motion"). Having carefully reviewed the Motion, being made aware of the agreement of Complaint Counsel and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that Respondents' Motion is hereby GRANTED. The Respondents shall have to and including December 29, 2004, within which to serve their response to Complaint Counsel's Motion to Compel Production of Respondents' Testifying Expert Lawrence Solan's Document. Respondents, on December 29, 2004, shall overnight their response for filing the following business day with the Office of the Secretary of the Federal Trade Commission and fax a courtesy copy to these Chambers at telephone number 202-326-2427.

DONE AND ORDERED this ____ day of _____, 2004.

Stephen J. McGuire
Administrative Law Judge

Copies furnished to:
All counsel of record

Order on Unopposed Motion

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2004, I caused the foregoing ORDER ON AGREED MOTION TO EXTEND TIME TO FILE RESPONSE TO COMPLAINT COUNSEL'S MOTION TO COMPEL PRODUCTION OF RESPONDENTS' TESTIFYING EXPERT LAWRENCE SOLAN'S DOCUMENT to be filed and served as follows:

- (1) an original and two paper copies filed by Federal Express and one electronic copy in PDF format filed by electronic mail to:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW Room H-159
Washington, DC 20580
Email: secretary@ftc.gov

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The Honorable Stephen J. McGuire
Administrative Law Judge
600 Pennsylvania Avenue, NW, Room H-106
Washington, D.C. 20580

- (3) one paper copy by first class U.S. mail and one electronic copy in PDF format by electronic mail to:

Laureen Kapin
Walter C. Gross
Joshua S. Millard
Robin M. Richardson
Laura Schneider
Federal Trade Commission
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Washington, D.C. 20580
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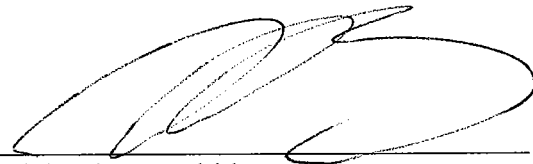
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Richard D. Burbidge
Attorneys for Respondent Dennis Gay