

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



\_\_\_\_\_)  
In the Matter of \_\_\_\_\_)  
MSC SOFTWARE CORPORATION, \_\_\_\_\_)  
a corporation. \_\_\_\_\_)  
\_\_\_\_\_)

Docket No. 9299

**RESPONDENT MSC SOFTWARE CORPORATION'S  
UNOPPOSED MOTION FOR EXTENSION OF TIME TO SEEK  
IN CAMERA TREATMENT FOR PROPOSED TRIAL EXHIBITS**

On June 4, 2002, Complaint Counsel notified MSC Software Corporation ("MSC") that it planned to use 60,000 pages of MSC's documents at trial. Reviewing this extraordinary number of documents to determine which documents warrant *in camera* treatment will take longer than the seven days currently provided by the scheduling order.


Complaint Counsel agrees that an extension is appropriate and indicated to MSC that it will not oppose this motion. Therefore, MSC moves to extend the deadline to seek *in camera* treatment of proposed trial exhibits to June 19, 2002.

MSC requests this extension of time in order to carefully and properly examine the 60,000 pages at issue. Because of the need to produce a large volume of responsive documents to Complaint Counsel in an expedited period of time, MSC designated most of its document production as "Restricted Confidential, Attorney Eyes Only." It must now review those documents carefully in order to ensure that sensitive documents whose "disclosure would result in serious competitive injury" receive adequate protection. *In re General Foods Corp.*, 1980 FTC LEXIS 99, \*10 (F.T.C. 1980). It is only through such close review – by knowledgeable employees of MSC – that MSC can develop a narrow list of documents worthy of *in camera* treatment and achieve a proper "balance

between the need for a public record and the interest of businesses in avoiding disclosure of sensitive information." *Id.*

Therefore, MSC respectfully requests that the deadline for seeking *in camera* treatment of proposed trial exhibits be extended to June 19, 2002.

Respectfully submitted,

  
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*Counsel for Respondents,*  
**MSC Software Corporation**

Dated: June 7, 2002

**CERTIFICATE OF SERVICE**

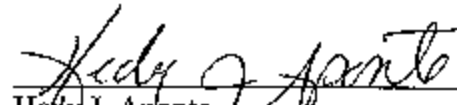
This is to certify that on June 7, 2002, I caused a copy of the Respondent MSC Software Corporation's Unopposed Motion For Extension of Time to Seek *in Camera* Treatment for Proposed Trial Exhibits to be served upon the following persons by hand delivery:

Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Av Avenue, N.W.  
Washington, DC 20580

Richard B. Dagen, Esq.  
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**UNITED STATES OF AMERICA**  
**BEFORE THE FEDERAL TRADE COMMISSION**

<b>IN THE MATTER OF</b>	)	
	)	
<b>MSC.SOFTWARE CORPORATION,</b>	)	Docket No. 9299
	)	
a corporation.	)	

**ORDER GRANTING RESPONDENT MSC.SOFTWARE CORPORATION'S  
UNOPPOSED MOTION FOR EXTENSION OF TIME TO SEEK  
IN CAMERA TREATMENT FOR PROPOSED TRIAL EXHIBITS**

Respondent MSC Software Corporation's Unopposed Motion for Extension of Time to Seek *In Camera* Treatment for Proposed Trial Exhibits is hereby GRANTED. The deadline for MSC to file this motion is extended to June 19, 2002.

ORDERED:

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D. Michael Chappell  
Administrative Law Judge

DATE: \_\_\_\_\_