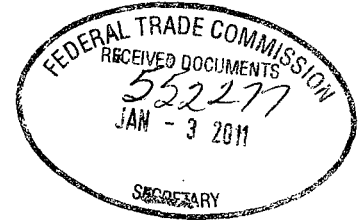


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of)

POM WONDERFUL LLC and)
ROLL INTERNATIONAL CORP.,)
companies, and)

STEWART A. RESNICK,)
LYNDA RAE RESNICK, and)
MATTHEW TUPPER, individually and)
as officers of the companies,)
Respondents.)

DOCKET NO. 9344

**ORDER GRANTING UNOPPOSED MOTION
TO AMEND SCHEDULING ORDER**

On December 28, 2010, Complaint Counsel submitted an Unopposed Motion to Amend Scheduling Order and Memorandum in Support Thereof ("Unopposed Motion"). The Unopposed Motion requests an order extending the deadline for the issuance of requests for admission ("RFAs") from January 14, 2011 to February 25, 2011, one week after the February 18, 2011 deadline for the close of fact discovery.

Commission Rule of Practice 3.21(c)(2) states: "The Administrative Law Judge may, upon a showing of good cause, grant a motion to extend any deadline or time specified in this scheduling order other than the date of the evidentiary hearing . . . In determining whether to grant the motion, the Administrative Law Judge shall consider any extensions already granted, the length of the proceedings to date, the complexity of the issues, and the need to conclude the evidentiary hearing and render an initial decision in a timely manner." 16 C.F.R. § 3.21(c)(2).


In support of the Unopposed Motion, Complaint Counsel states that delaying the issuance of RFAs until after the close of discovery, particularly the scheduled depositions of Respondents, will prevent the parties from issuing unnecessary RFAs. Complaint Counsel further states that the proposed extension will not affect any other deadlines set forth in the Scheduling Order, including the date for the commencement of the hearing on May 24, 2011. Complaint Counsel represents that it has conferred with Respondents, and that Respondents do not object to the proposed extension.

Good cause exists for the extension sought. The record in this matter shows that there have been no prior extensions granted. The proposed extension will not delay any other deadlines set forth in the Scheduling Order, including the date set for the evidentiary hearing. Furthermore, it does not appear that extending the deadline to until shortly after the close of discovery will lengthen the proceedings or interfere with the timely completion of the hearing or initial decision.

Accordingly, the Unopposed Motion to Amend Scheduling Order is GRANTED, and it is hereby ORDERED, that the deadline for issuing requests for admission under the Scheduling Order shall be February 25, 2011.

Except as provided herein, all remaining deadlines in the Scheduling Order are unchanged.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: January 3, 2011