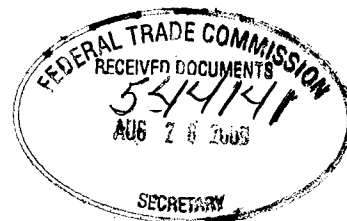


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of)
)
)

THE M GROUP, INC., also d/b/a)
BAMBOOSA, a corporation, and)

DOCKET NO. 9340

MINDY JOHNSON, MICHAEL)
MOORE, and MORRIS SAINTSING,)
individually and as members of the)
corporation,)
Respondents.)
_____)

**ORDER ON RESPONDENTS' MOTION TO EXTEND TIME
TO RESPOND TO COMPLAINT**

I.

On August 24, 2009 Respondents The M Group, Inc., Mindy Johnson, Michael Moore, and Morris Saintsing ("Respondents"), submitted a Motion to Extend Time to Respond to Complaint ("Motion"). On August 26, 2009, Complaint Counsel submitted an opposition to the Motion ("Opposition"). Upon full consideration of the Motion and Opposition, and as further explained below, the Motion is GRANTED in part and DENIED in part.

II.

Respondents seek to extend the time to file their answer or otherwise respond by twenty-one days, from the original due date of August 28, 2009, to September 18, 2009. As grounds for the Motion, Respondents state that they are attempting to associate local counsel to assist in representing Respondents in this matter but, as of the date of the Motion, have not associated such local counsel. Additionally, Respondents seek an extension of more than fourteen days so that the Answer does not become due in the shortened week following the Labor Day holiday.

Complaint Counsel responds that an extension to obtain local counsel does not constitute good cause for an extension of the time because Respondents do not deny that they are already ably assisted by counsel, and because Respondents may continue seeking local counsel without obtaining an extension. Complaint Counsel further asserts that, although Respondents were served with the Complaint on August 14, 2009, they received a courtesy copy of the Complaint on or about August 7, 2009. Thus, according to Complaint Counsel, Respondents have had

ample time to prepare their Answer. Complaint Counsel argues in the alternative that, if an extension of time is granted, the extension be limited to ten days after the original due date of August 28, 2009, which is September 8, 2009.

III.

Rule 3.12(a) of the Commission's Rules of Practice requires that an answer be filed within fourteen days of service of the Complaint. 16 C.F.R. § 3.12(a). In this case, Respondents' Answer would be due by August 28, 2009. Pursuant to Commission Rule 4.3, the Administrative Law Judge may grant an extension of the time to answer "for good cause shown." 16 C.F.R. § 4.3.

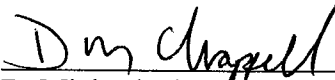
Respondents' counsel of record is located in South Carolina and the adjudicative proceedings are pending in Washington, D.C. Respondents' desire to retain local counsel to assist in their representation in these proceedings and Respondents asserted inability thus far to locate such counsel constitute good cause for an extension of time. Moreover, Complaint Counsel does not contend that an extension of time would be prejudicial to its case. However, Respondents have not demonstrated good cause for an extension of twenty-one days' duration. An extension of time until September 11, 2009 is adequate to allow Respondents to retain local counsel and to allow for the shortened work week after the Labor Day holiday.

The parties are reminded that the Complaint in this matter provides that "the seventh day of April, 2010, at 10:00 a.m., is hereby fixed as the time . . . when . . . a hearing will be had" before the Administrative Law Judge. Complaint, p. 9.

IV.

Upon full consideration of Respondents' Motion to Extend Time to Respond to Complaint and Complaint Counsel's Opposition thereto, and for good cause having been shown, it is hereby ORDERED that: (1) Respondents' Motion is GRANTED in part and DENIED in part; and (2) Respondents shall file their Answer to the Complaint on or before September 11, 2009.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: August 26, 2009