

## UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION

**COMMISSIONERS:** 

Deborah Platt Majoras, Chairman

Pamela Jones Harbour

Jon Leibowitz William E. Kovacic J. Thomas Rosch

In the Matter of

REALCOMP II, LTD.,

a corporation.

Docket No. 9320

**PUBLIC VERSION** 

## JOINT MOTION FOR EXTENSION OF TIME THROUGHOUT THE APPELLATE BRIEFING SCHEDULE [EXPEDITED CONSIDERATION REQUESTED]

Complaint Counsel and Respondent respectfully request that the Commission extend the appellate briefing deadlines set by Rule of Practice § 3.52. The Initial Decision in this matter was served on the parties on Wednesday, December 19, 2007. To accommodate the impending holidays, the parties propose, and request the Commission to approve, the following schedule:

- Appeal brief to be due on or before January 25, 2008;
- Answering brief (including any cross-appeal brief) to be due on or before February 29, 2008;
- Reply brief (in the absence of a cross-appeal) to be due on or before
  March 11, 2008;
- Reply brief (in the event of a cross-appeal) to be due on or before March 31, 2008;
- Rebuttal brief (in the event of a cross-appeal) to be due on or before April 9, 2008.

Finally, to allow the parties to make appropriate staffing and scheduling arrangements for briefing the issues in this case, the parties request expedited consideration of this motion.

## **Procedural History**

- 1. The Administrative Complaint in this matter was issued on October 10, 2006.
- 2. The trial began on June 19, 2007. There were eight (8) days of trial, with the last day of testimony occurring on June 28, 2007.
- 3. Following post-trial briefing and closing arguments, the record was closed on September 7, 2007.
- 4. The Initial Decision was filed December 10, 2007, and served upon Complaint Counsel December 19, 2007. Complaint Counsel filed a notice of appeal on December 19, 2007.

Respectfully submitted,

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FEDERAL TRADE COMMISSION

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Date: December 21, 2007 Counsel for the Respondent

## **CERTIFICATE OF SERVICE**

This is to certify that on December 21, 2007, a copy of the attached Joint Motion for Extension of Time Throughout the Appellate Briefing Schedule was served by delivering copies to the following:

Office of the Secretary Federal Trade Commission Room H-159 600 Pennsylvania Ave., N.W. Washington, D.C. 20580

The Honorable Stephen J. McGuire Chief Administrative Law Judge Federal Trade Commission 600 Pennsylvania Ave., N.W. Washington, D.C. 20580

Date: December 21, 2007

Joel A. Christie