## ORIGINAL

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

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In the	e Matter	of
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Polypore International, Inc. a corporation.

Docket No. 9327

PUBLIC

## DECLARATION CONCERNING PROTECTIVE ORDER GOVERNING DISCOVERY MATERIAL

I, Bernard A. Nigro, Jr., hereby declare and certify the following. to be true:

1. I have been retained as outside counsel to Polypore International, Inc. in connection with this matter.

2. I have read the "Protective Order" governing Discovery Material ("Protective Order") issued by the Commission on October 23, 2008. in connection with the above-captioned Matter. I understand the restrictions on my access to and use of any Confidential Material (as that term is used in the Protective Order) in this Matter. and I agree to abide by the Protective Order.

3. I understand that the restrictions on my use or such Confidentiality Material include:

- a. that I will use such Confidential Material for the purpose of preparing for this proceeding, and hearing,(s) and any appeal of this proceeding and for no other purpose;
- b. that I will not disclose such Confidential Material to anyone. except as permitted by the Protective Order;
- c. that I will use, store and maintain the Confidential Material in such a way as to ensure its continued protected status; and

d. that, upon the termination or my participation in this proceeding, I will promptly return all Confidential Materials and all notes. memoranda, or other papers containing Confidential Material. to Complaint Counsel or Respondent's Outside Counsel as appropriate.

4. I understand that if I am receiving, Confidential Material as an Expert/Consultant, as that term is defined in this Protective Order. the restrictions on my use o<sup>c</sup> Confidential

Material also include the duty and obligation to:

- a. maintain such Confidential Material in separate locked room(s) or locked cabinet(s) when such Confidential Material is not being reviewed;
- b. return such Confidential Material to Complaint Counsel or Respondent's Outside Counsel, as appropriate, upon the conclusion of my assignment or retention, or upon conclusion of this Matter; and
- c. use such Confidential Material and the information contained therein solely for the purpose of rendering consulting services to a Party to this Matter, providing testimony in judicial or administrative proceedings arising out of this Matter.

5. I am fully aware that, pursuant to Section 3.42(h) of the FTC Rules of Practice, 16 C.F.R. §3.42(h), my failure to comply with the terms of the Protective Order may constitute contempt of the Commission and may subject me to sanctions.

Bernard A. Nigro Jr.

Date: May 14, 2009

Full Name [Typed or Printed]

Bernet A 1 Signature

## CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2009, I caused to be filed via hand delivery and electronic mail delivery an original and two copies of the foregoing *Declaration Concerning Protective Order Governing Discovery Material*, and that the electronic copy is a true and correct copy of the paper original and that a paper copy with an original signature is being filed with:

Donald S. Clark, Secretary Office of the Secretary Federal Trade Commission 600 Pennsylvania Avenue, NW, Rm. H-135 Washington, DC 20580 secretary@ftc.gov

I hereby certify that on May 21, 2009, I caused to be served one copy via electronic mail delivery and two copies via overnight mail delivery of the foregoing *Declaration Concerning Protective Order Governing Discovery Material* upon:

The Honorable D. Michael Chappell Administrative Law Judge Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 oalj@ftc.gov

I hereby certify that on May 21, 2009, I caused to be served via first-class mail delivery and electronic mail delivery a copy of the foregoing *Declaration Concerning Protective Order Governing Discovery Material* upon:

> J. Robert Robertson, Esq. Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 <u>rrobertson@ftc.gov</u>

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