

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

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In the Matter of	j ,	
POLYPORE INTERNATIONAL, INC., Respondent.)))	Docket No. 9327
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ORDER EXTENDING THE ONE YEAR DEADLINE FOR FILING THE INITIAL DECISION

Commission Rule 3.51(a) requires that initial decisions be filed within one year following the issuance of the complaint, but allows the Administrative Law Judge to extend the one year deadline by an additional period of up to sixty days, upon a finding of extraordinary circumstances. 16 C.F.R. § 3.51(a). The Complaint in this matter was issued on September 9, 2008. One year from the issuance of the Complaint was September 9, 2009. By Order dated September 8, 2009, extraordinary circumstances were found to support an extension of the one year deadline by an additional period of sixty days, to November 9, 2009. By subsequent Order dated November 9, 2009, additional extraordinary circumstances were found to support an additional extension of the one year deadline by a period of sixty days, to January 8, 2010.

By Order dated October 15, 2009, the record was reopened for the limited purpose of receiving proffered evidence and a hearing was held on November 12, 2009. Post-hearing supplemental briefs and proposed findings and replies thereto were filed on November 24, 2009 and December 4, 2009.

The record in this case is extensive, with over 2,100 exhibits, 35 witnesses, and 5,590 pages of trial transcript in the hearing, and an additional 48 exhibits, 3 witnesses and 305 pages of trial transcript in the supplemental hearing. To thoroughly review the record and properly develop the findings of fact and legal analysis and evaluate the evidence from the supplemental hearing, additional time is necessary. Accordingly, extraordinary circumstances are present. The one year deadline for filing the Initial Decision in this case is hereby extended to February 22, 2010, which is an additional period within sixty days.

Commission Rule 3.51(a) also requires that initial decisions be filed within 90 days of the close of the record. Ninety days from the initial close of the record after the hearing was September 21, 2009, but was extended by Order of the Commission to November 20, 2009. Following the reopening of the record and the supplemental hearing

on November 12, 2009, the record in this case was closed on November 23, 2009. Ninety days from that date is February 22, 2010.

ORDERED:

D. Michael Chappell

Chief Administrative Law Judge

Date: January 7, 2010