

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



In the Matter of

1-800 CONTACTS, INC.,
a corporation,

Respondent.

Docket No. 9372

**JOINT MOTION FOR EXTENSION OF TIME
IN WHICH TO HOLD CLOSING ARGUMENTS**

Pursuant to Rule of Practice 4.3(b), Respondent 1-800 Contacts, Inc. and Complaint Counsel (“the parties”) respectfully move for a one-week extension of the deadline in which to hold closing arguments in this matter. For the reasons stated herein, the parties request that the Court schedule the closing arguments to occur on July 27, 2017.

The Court’s Order on Post-Trial Briefs provides that each party’s replies to the other party’s proposed findings of fact must be filed on or before July 13, 2017. Under Rule of Practice 3.41(6), closing arguments would then take place no later than five (5) days after July 13, 2017 (*i.e.*, no later than July 20, 2017). Unfortunately, Respondent’s lead counsel has a pre-existing conflict in another matter during the week of July 17 that was scheduled several months ago. The parties have conferred about this scheduling issue and, by this motion, jointly request that the Court extend the deadline set out in Rule 3.41(6) by one week, to July 27, 2017, and that the Court schedule the closing arguments for that day.

The parties do not by this motion seek to move any of the deadlines for the filing of post-trial briefs, proposed findings of fact and conclusions of law, reply briefs, or replies to proposed findings of fact.

DATED: June 8, 2017

Respectfully submitted,

/s/ Daniel J. Matheson

/s/ Gregory P. Stone

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**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF THE ADMINISTRATIVE LAW JUDGES**

In the Matter of

**1-800 CONTACTS, INC.,
a corporation,**

Respondent.

Docket No. 9372

**[PROPOSED] ORDER REGARDING JOINT MOTION FOR EXTENSION
OF TIME IN WHICH TO HOLD CLOSING ARGUMENTS**

Good cause having been shown, IT IS HEREBY ORDERED that the parties' Joint Motion for Extension of Time In Which to Hold Closing Arguments is GRANTED and that the deadline under Rule of Practice 3.41(6) for closing arguments to occur shall be extended by one week, until July 27, 2017. Closing arguments in this matter shall take place on July 27, 2017 at 10:00 a.m., in Courtroom 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

DATED: _____

D. Michael Chappell
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2017, I filed the **JOINT MOTION FOR EXTENSION OF TIME IN WHICH TO HOLD CLOSING ARGUMENTS** using the FTC's E-Filing System, which will send notification of such filing to all counsel of record as well as the following:

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

DATED: June 8, 2017

By: /s/ Ramona Salgado
Ramona Salgado

CERTIFICATE FOR ELECTRONIC FILING

I hereby certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

DATED: June 8, 2017

By: /s/ Gregory P. Stone
Gregory P. Stone
Attorney

35178100.1

Notice of Electronic Service

I hereby certify that on June 08, 2017, I filed an electronic copy of the foregoing Joint Motion for Extension of Time in Which to Hold Closing Arguments, [Proposed] Order regarding Joint Motion for Extension of Time in Which to Hold Closing Arguments, with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on June 08, 2017, I served via E-Service an electronic copy of the foregoing Joint Motion for Extension of Time in Which to Hold Closing Arguments, [Proposed] Order regarding Joint Motion for Extension of Time in Which to Hold Closing Arguments, upon:

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