

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

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In the Matter of	)	
	)	
Altria Group, Inc.,	)	
a corporation,	)	Docket No. 9393
	)	
and	)	
	)	
JUUL Labs, Inc.	)	
a corporation,	)	
	)	
Respondents.	)	
_____	)	

**REQUEST FOR EXTENSION OF TIME FOR FILING INITIAL  
DECISION PURSUANT TO COMMISSION RULE 3.51**

Federal Trade Commission (“FTC”) Rule of Practice 3.51(a) provides that “[t]he Administrative Law Judge [‘ALJ’] shall file an initial decision within 70 days after the filing of the last filed initial or reply proposed findings of fact, conclusions of law and order” and that the ALJ may extend this time period by up to 30 days for good cause. 16 C.F.R. § 3.51(a). Pursuant to Rule 3.51(a), an order was issued on December 17, 2021 extending the time for filing the Initial Decision in this matter from December 22, 2021 to January 21, 2022. FTC Rule 3.51(a) also provides that the Commission may further extend this time period for good cause.

There is good cause for such further extension in this case. The Commission’s Complaint involves two counts: an alleged unlawful agreement not to compete, in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45; and an alleged unlawful acquisition, in violation of Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18. The Respondents deny entering into any unlawful agreement and further deny that the transaction at issue is anticompetitive.

The record from this multi-week trial is extensive, involving numerous witnesses and complex issues. Over 2,480 exhibits were admitted into evidence. Thirty-seven witnesses testified, either live or by deposition, and there are 3,410 pages of trial transcript from witnesses’ live testimony. The parties submitted a total of 3,900 proposed findings of fact. The parties’ proposed findings of fact, conclusions of law, replies to proposed findings of fact and

conclusions of law, post-trial briefs, and reply briefs total 4,067 pages. Thus, the amount of information to review is extraordinarily high. This substantial record must be thoroughly reviewed.

Since Rule 3.51(a) was amended in 2009 to regulate the timing of the filing of initial decisions, this is only the second case in which a request to the Commission for additional time has been made. In order to give full consideration to the issues presented in this proceeding, additional time for issuing the Initial Decision is required. The Commission is requested, pursuant to Rule 3.51(a), to further extend the time period for issuing an Initial Decision until February 17, 2022.<sup>1</sup>

ORDERED:



D. Michael Chappell  
Chief Administrative Law Judge

Date: January 11, 2022

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<sup>1</sup> Pursuant to Commission Rule 3.45(f), the public version of the Initial Decision is filed within five business days of the filing of the *in camera* version of the Initial Decision.