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

_____)
In the Matter of)
)
POLYPORE INTERNATIONAL, INC.,)
Respondent.)
_____)

Docket No. 9327

ORDER REQUIRING REPLY BRIEF

On September 25, 2009, Respondent submitted a Second Motion to Reopen the Hearing Record (“Motion”). Complaint Counsel submitted its opposition to the Motion on October 1, 2009 (“Opposition”). Pursuant to Rule 3.22(c) of the Commission’s Rules of Practice, it is hereby ORDERED that Respondent shall submit a reply to the Opposition, as further described below.

Respondent’s reply shall respond to all pertinent facts and arguments asserted in the Opposition, and shall specifically address, without limitation, the following:

1. Whether the facts asserted in the proffer in Respondent’s Motion are relevant and admissible under Commission Rule 3.43, including, without limitation, Respondent’s theory of relevance, and whether such facts are cumulative to evidence in the hearing record;
2. Whether Respondent possesses evidence disputing the assertions of fact in the Declaration of Douglas Gillespie, submitted with the Opposition as Attachment A;
3. When and how Respondent first became aware of the facts asserted in the proffer; and
4. How Respondent would be prejudiced if the record were not reopened to receive the evidence proffered by Respondent. Such assertions of prejudice shall not be merely conclusory, but shall be supported by specific facts.

Respondent's reply in compliance with this Order shall be filed with the Office of the Secretary. A copy shall be submitted by electronic mail to the Office of the Administrative Law Judges no later than 5:00 p.m. on Wednesday, October 7, 2009.

ORDERED:


D. Michael Chappell
Chief Administrative Law Judge

Date: October 2, 2009