### UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION



In t	be N	lattei	r of
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# ALABAMA TRUCKING ASSOCIATION, INC.,

a corporation.

Docket No. 9307

In the Matter of

MOVERS CONFERENCE OF MISSISSIPPI, INC.,

a corporation.

Docket No. 9308

In the Matter of

KENTUCKY HOUSEHOLD GOODS CARRIERS ASSOCIATION, INC.,

a corporation.

Docket No. 9309

## <u>COMPLAINT COUNSEL'S NOTICE OF WITHDRAWAL OF</u> <u>ITS MOTION TO CONSOLIDATE</u>

On July 25, 2003 Complaint Counsel filed a Motion to Consolidate pursuant to

§ 3.41(b)(2) of the Commission's Rules of Practice. That motion sought consolidation of: In

the Matter of Alabama Trucking Association, Inc., Docket No. 9307; In the Matter of Movers Conference of Mississippi, Inc., Docket No. 9308; and In the Matter of Kentucky Household Goods Carriers Association, Inc., Docket No. 9309. Respondent Kentucky Household Goods Carriers Association opposed that motion. Complaint Counsel's reply to that opposition noted that Complaint Counsel's motion may become moot because the Alabama Trucking Association (Docket No. 9307) and the Movers Conference of Mississippi (Docket No. 9308) were engaged in settlement discussions. On August 12, 2003 the Secretary of the Commission removed the Movers Conference of Mississippi, Inc. matter (Docket 9308) from litigation to consider a proposed consent agreement. Similarly, on August 29, 2003 the Secretary of the Commission removed the Alabama Trucking Association (Docket 9307) from litigation for the same reason. On October 30, 2003 the Commission announced that it had provisionally accepted those consents. Given these settlement agreements and considering that the remaining matter is proceeding apace, Complaint Counsel hereby withdraws its Motion to Consolidate. Respondent's Counsel has indicated that it has no objection to this withdrawal. A proposed order is attached.

Respectfully submitted,

Dana Abrahamsen (202) 326-2906

Complaint Counsel Bureau of Competition Federal Trade Commission 601 New Jersey Avenue, N.W. Washington, D.C. 20580

Dated October 30, 2003

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Docket No. 9308

Docket No. 9309

# ORDER GRANTING COMPLAINT COUNSEL'S WITHDRAWAL OF ITS MOTION TO CONSOLIDATE

Complaint Counsel's withdrawal of its Motion to Consolidate: In the Matter of Alabama Trucking Association, Inc., Docket No. 9307; In the Matter of Movers Conference of Mississippi, Inc., Docket No. 9308; and In the Matter of Kentucky Household Goods Carriers

Association, Inc., Docket No. 9309 is GRANTED.

Stephen J. McGuire Chief Administrative Law Judge

D. Michael Chappell Administrative Law Judge

Dated: \_\_\_\_\_, 2003

#### **CERTIFICATE OF SERVICE**

This is to certify that on October 30, 2003 I caused a copy of the attached Complaint Counsel's Notice of Withdrawal of its Motion to Consolidate to be served upon the following persons by facsimile, U. S. Mail or Hand-Carried:

The Honorable Stephen J. McGuire Chief Administrative Law Judge Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580

The Honorable D. Michael Chappell Federal Trade Commission 600 Pennsylvania Avenue, N.W. Washington, DC 20580

James C. McMahon, Esq. Brodsky, Altman & McMahon, LLP 60 East 42<sup>nd</sup> Street, Suite 1540 New York, NY 10165-1544 (212) 986-6905 *facsimile* 

James Dean Liebman, Esquire Liebman and Liebman 403 West Main Street Frankfort, Kentucky 40601 (502) 226-2001 *facsimile* 

Counsel for the Kentucky Household Goods Carriers Association

Dana Abrahamsen