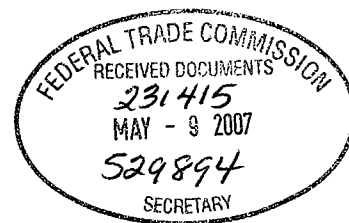


ORIGINAL

PUBLIC RECORD

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION



In the Matter of

Docket No. 9320

REALCOMP II LTD.,

Chief Administrative Law Judge
Stephen J. McGuire

Respondent.

**RESPONDENT'S WITHDRAWAL
OF APPLICATION TO LIFT RESTRICTED CONFIDENTIAL STATUS OF
DEPOSITION TESTIMONY OF JEFF KERMATH**

Respondent, Realcomp II, Ltd. ("Realcomp"), through its attorneys, Foster, Swift, Collins & Smith, P.C. hereby withdraws its Application to Lift Restricted Confidential Status of Deposition Testimony of Jeff Kermath based upon Mr. Kermath's re-designation of his deposition and attached exhibits to remove the Restricted Confidential designation and limit the use of the Confidential designation.

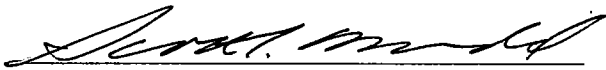
In response to Complainant Counsel's May 2, 2007 Response, it should be noted that Complainant's Counsel agreed to handle the communication with Mr. Kermath concerning the re-designation of his use of Restricted Confidential and that this issue dragged on for a considerable period of time through no fault of Complainant's Counsel based upon what Respondent's counsel understood to be Mr. Kermath's delay in reviewing this deposition transcript and exhibits to advise as to whether he would voluntarily re-designate the same. After making several attempts to determine whether Mr. Kermath would make that designation and being informed that Mr. Kermath had not yet performed that review and that there would be

additional delay, Respondent's counsel believed that it was necessary to proceed with the filing of the Application Complaint.

Now that Mr. Kermath has re-designated the same, the Application need not be considered.

FOSTER, SWIFT, COLLINS & SMITH, P.C.
Attorneys for Respondent

Dated: May 8, 2007

By: 
Scott L. Mandel
Steven H. Lasher

CERTIFICATE OF SERVICE

This is to certify that on May 8, 2007, I caused a copy of the attached Respondent's Withdrawal of Application to Lift Restricted Confidential Status of Deposition Testimony of Jeff Kermath in Docket No. 9320, to be served upon the following persons by Electronic Transmission and First Class Mail:

Sean P. Gates, Esq.
601 New Jersey Ave., N.W.
Rm. NJ-6219
Washington, DC 20001

And two copies of same hand delivered by overnight courier to:

Hon. Stephen J. McGuire
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580



Lorri A. Rosier