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UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of)	Docket No. 9327
)	
Polypore International, Inc., a corporation.)	PUBLIC DOCUMENT
)	

**RESPONDENT'S OBJECTIONS TO COMPLAINT COUNSEL'S
FIRST REQUEST FOR ADMISSIONS**

Pursuant to the Federal Trade Commission's Rules of Practice for Adjudicative Proceedings ("FTC Rules"), 16 C.F.R. §§ 3.31 and 3.35, Respondent Polypore International, Inc. ("Polypore"), by its attorneys, Parker Poe Adams & Bernstein LLP, hereby submits its objections to Complaint Counsel's First Request For Admissions ("Requests"), which was served on October 19, 2009.

OBJECTIONS

1. Respondent objects to the Requests on the basis that the Administrative Law Judge's Order Granting Respondent's Second Motion to Reopen the Hearing Record and Setting Hearing Schedule, dated October 15, 2009, makes no provision for additional requests for admission. The Court's Order does not contemplate any written discovery, only depositions, in advance of the half-day hearing scheduled to occur in two weeks. Respondent has not served any written discovery requests on Complaint Counsel. Nor has Respondent sought documentary evidence from third-party Exide Technologies, Inc. by subpoena *duces tecum*, as Respondent believes the Court's order does not authorize such discovery.

2. Respondent objects to the Requests on the basis that the FTC Rules provide no authorization for Complaint Counsel's serving requests for admission related to a limited proffer of evidence in a half-day re-opened hearing after the record has been closed.

3. Respondent objects to the Requests on the basis that Complaint Counsel's demand for answers to such Requests is contrary to the FTC Rules.

4. Respondent objects to the Requests as overly broad, unduly burdensome, impermissibly vague or ambiguous, or require unreasonable efforts or expense on the part of Respondent in an extraordinarily short time frame while Respondent is simultaneously preparing witnesses for depositions and the hearing.

5. Respondent objects to the Requests to the extent that it seeks information in existence and available to Complaint Counsel prior to the close of the record and/or unrelated to Respondent's proffer made to the Court in its Second Motion to Reopen the Record.

6. Respondent objects to the Requests to the extent that they seek information protected by the attorney-client privilege, the work-product doctrine, the joint defense privilege or any other applicable privilege.

7. Respondent objects to the Requests to the extent that they seek to impose obligations boarder than those required by or authorized under the FTC Rules, the Federal Rules of Civil Procedure, the Court's Order Granting Respondent's Second Motion to Reopen the Hearing Record and Setting Hearing Schedule, or any applicable order or rule of this Court.

8. Respondent objects to the Requests to the extent that they are not reasonably expected to yield information relevant to the limited proffer of evidence authorized by the Order Granting Respondent's Second Motion to Reopen the Hearing Record and Setting Hearing Schedule.

9. Respondent objects to Complaint Counsel's definitions of "Polypore," "the company," "you," "your," "Daramic" and "Microporous," as being overbroad and unduly burdensome. Respondent does not agree to the characterization of these terms and any response should not be considered a waiver of this objection.

10. Respondent objects to Complaint Counsel's definition of "Document" as being vague, overbroad and unduly burdensome. Respondent does not agree to the characterization of this terms and any response should not be considered a waiver of this objection.

11. Respondent objects to the Requests to the extent they require Respondent to respond on behalf of third parties. In particular, Complaint Counsel's definitions of "Polypore" and "Microporous" are overly broad because it requires Respondent to respond on behalf of multiple other entities.

12. Respondent's responses to these Requests are given without prejudice to Respondent's right to produce evidence of any subsequently discovered facts. The failure of Respondent to object to any Request on a particular ground may not be construed as a waiver of its right to object on any additional ground(s).

13. Respondent objects to the Requests to the extent they call for information that can only be obtained from third parties.

14. Respondent reserves the right to assert additional specific objections should the Court grant Complaint Counsel's Motion to Compel Production of Discovery Responses.

Dated: October 21, 2009

Respectfully submitted,

William L. Rikard /mew

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Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2009, I caused to be filed via hand delivery and electronic mail delivery an original and two copies of the foregoing ***Respondent's Objections to Complaint Counsel's First Requests for Admissions*** and that the electronic copy is a true and correct copy of the paper original and that a paper copy with an original signature is being filed with:

Donald S. Clark, Secretary
Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW, Rm. H-135
Washington, DC 20580
secretary@ftc.gov

I hereby certify that on October 21, 2009, I caused to be served one copy via electronic mail delivery and two copies via overnight mail delivery of the foregoing ***Respondent's Objections to Complaint Counsel's First Requests for Admissions*** upon:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

I hereby certify that on October 21, 2009, I caused to be served via first-class mail delivery and electronic mail delivery a copy of the foregoing ***Respondent's Objections to Complaint Counsel's First Requests for Admissions*** upon:

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