

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

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In the Matter of )  
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)  
Polypore International, Inc., ) Docket No. 9327  
a corporation, ) Public Document  
)  
Respondent. )  
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)  
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SEP 23 2009  
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**INTERVENOR HOLLINGSWORTH & VOSE COMPANY'S  
EMERGENCY MOTION FOR CLARIFICATION OF ORDER ON  
MOTION FOR LEAVE TO INTERVENE**

Intervenor Hollingsworth & Vose Company (“H&V”) moves, on an emergency basis, for clarification of the September 23, 2009 Order on Motion for Leave to Intervene by Non-Party Hollingsworth & Vose Company (the “Intervention Order”). The Intervention Order provides that H&V may intervene “only for the limited purpose of providing a brief and any proposed findings of fact on the issue of how the proposed remedy might affect H&V’s rights under the Cross Agency Agreement.” It further provides that the brief and proposed findings be filed by September 30, 2009, in advance of the issuance of any initial decision. The Intervention Order does not specifically address H&V’s request to participate in an appeal to the Commission of the forthcoming initial decision on issues affecting H&V’s rights under the Cross Agency Agreement, but solely references the right to file post-trial papers later this week.

H&V seeks clarification as to whether it has been granted or denied the right to appeal the forthcoming initial decision in this proceeding on issues affecting H&V’s rights under the Cross Agency Agreement. Since the time for H&V to appeal the Intervention Order expires on

September 30, 2009, *see* 16 C.F.R. § 3.23(a) (Jan. 1, 2009),<sup>1</sup> H&V seeks such clarification on an emergency basis in order to avoid filing an unnecessary application for review with the Commission.


WHEREFORE, H&V requests a ruling clarifying whether it has been granted or denied the right to appeal to the Commission on the initial decision in this proceeding on issues relating to its rights under the Cross Agency Agreement.

Dated: September 28, 2009

Respectfully submitted,

HOLLINGSWORTH & VOSE COMPANY

By its attorneys,

  
Kathryn K. Conde  
Jonathan D. Persky  
Nutter McClennen & Fish LLP  
155 Seaport Boulevard  
World Trade Center West  
Boston, MA 02210  
Tel: (617) 439-2420  
Fax: (617) 310-9420  
E-mail: [kconde@nutter.com](mailto:kconde@nutter.com)  
[jpersky@nutter.com](mailto:jpersky@nutter.com)

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<sup>1</sup> Rule 3.23 has since been amended to shorten the time for taking an appeal. The amendment does not affect actions commenced before January 13, 2009. 74 Fed. Reg. 1822.

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2009, I filed via overnight delivery and electronic mail delivery an original and two copies of the foregoing Intervenor Hollingsworth & Vose Company's Emergency Motion for Clarification of Order on Motion for Leave to Intervene 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*

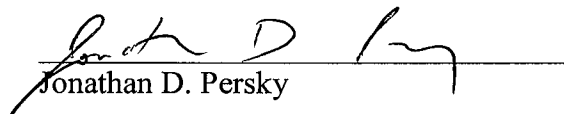
I hereby certify that on September 28, 2009, I filed via overnight delivery and electronic mail delivery two copies of the foregoing Intervenor Hollingsworth & Vose Company's Emergency Motion for Clarification of Order on Motion for Leave to Intervene with:

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

I hereby certify that on September 28, 2009, I caused to be served via electronic delivery and first-class mail delivery a copy of the foregoing Intervenor Hollingsworth & Vose Company's Emergency Motion for Clarification of Order on Motion for Leave to Intervene on:

William L. Rickard, Jr., Esq.  
Eric D. Welsh, Esq.  
Parker, Poe, Adams & Bernstein, LLP  
401 South Tryon Street, Suite 3000  
Charlotte, North Carolina 28202  
*williamrickard@parkerpoe.com*  
*ericwelsh@parkerpoe.com*

J. Robert Robertson, Esq.  
Steven Dahm, Esq.  
Bureau of Competition  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
*rrobertson@ftc.gov*  
*sdahm@ftc.gov*

  
Jonathan D. Persky