

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

HOMEADVISOR, INC.,

a corporation,

d/b/a ANGI LEADS,

**d/b/a HOMEADVISOR POWERED
BY ANGI.**

Docket No. 9407

**JOINT MOTION TO EXTEND THE TIME TO
COMPLETE FACT DISCOVERY**

Counsel for Respondent HomeAdvisor, Inc. (“**HomeAdvisor**” or “**Respondent**”) and Complaint Counsel (collectively, the “**Parties**”) jointly move this Court under 16 C.F.R. § 4.3(b), to extend the time for the completion of fact discovery to allow for the completion of the deposition of HomeAdvisor.

Complaint Counsel served a Notice of Deposition to HomeAdvisor pursuant to 16 C.F.R. § 3.33(c)(1) (the “**Notice**”) on July 8, 2022. The Notice lists 14 separate topics for which HomeAdvisor must designate a witness(es) to testify (the “**Topics**”). HomeAdvisor served responses and objections to the Notice on August 5, 2022. For the remainder of the month of August, the Parties engaged in good faith negotiations regarding the scope of the Topics, and successfully resolved all disputes concerning the Topics as of August 31, 2022. HomeAdvisor anticipates designating multiple witnesses to cover the 12 Topics for which it agreed to provide

testimony. Under the Scheduling Order, fact discovery closes on September 6, 2022.* Thus, to provide the Parties with a reasonable time to schedule the deposition for each of the designees, and to prepare for the depositions, the Parties propose a two-week extension to the deadline to complete fact discovery to **September 20, 2022**, solely for purposes of completing the deposition of HomeAdvisor. All other fact discovery shall be completed by September 6, 2022. By joining this motion, the parties do not preclude or otherwise limit their rights to subsequently file any motion to compel. Although the parties reserve their rights to propose further adjustments to the pre-hearing schedule, HomeAdvisor and Complaint Counsel do not currently propose any further adjustments to the pre-hearing schedule.

The Administrative Law Judge may extend deadlines for “good cause shown.” 16 C.F.R. § 4.3(b). Good cause exists for the brief extension sought in this motion because (1) it will provide the Parties reasonable time to schedule the depositions of multiple witnesses designated to testify on behalf of HomeAdvisor; (2) it will provide HomeAdvisor reasonable time fulfill its obligation under to 16 C.F.R. § 3.33(c)(1) to prepare its designees on “matters known or reasonably available to” HomeAdvisor; and (3) none of the proposed extensions will delay the overall schedule or require a change to the hearing date.

No party will suffer any undue prejudice from the brief extensions requested. Moreover, the limited extension will not delay other procedural deadlines or the hearing date set for November, 9, 2022.

* The Scheduling Order sets September 6 as the “close of discovery, other than discovery permitted under Rule 3.24(a)(4), depositions of experts, and discovery for purposes of authenticity and admissibility of exhibits.” For brevity, the Parties herein refer to this as the close of “fact discovery.”

For these reasons, the Parties respectfully request that the Court enter the attached proposed Order.

Dated: September 6, 2022

Respectfully Submitted,

/s/ Jennifer J. Barrett

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Counsel Supporting the Complaint

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PUBLIC

Docket No. 9407

[PROPOSED] ORDER

Having carefully considered Respondent's and Complaint Counsel's Joint Motion To Extend the Time to Complete Fact Discovery, it is hereby

ORDERED, that the close of fact discovery is extended to September 20, 2022, solely for the purposes of allowing the completion of the deposition of HomeAdvisor.

ORDERED:

D. Michael Chappell
Chief Administrative Law Judge

Date:

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2022, I filed the foregoing document electronically through the Office of the Secretary's FTC E-filing system, which will send notification of such filing to:

April Tabor
Secretary Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113 Washington, DC 20580
electronicfilings@ftc.gov

The Honorable D. Michael Chappell
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, NW, Room H-110
Washington, DC 20580

I also certify that I caused a true and correct copy of the foregoing documents to be served via email upon the following:

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Counsel Supporting the Complaint

Dated: September 6, 2022

By: /s/ George T. Phillips
George T. Phillips

Counsel for Respondent HomeAdvisor, Inc.

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

Dated: September 6, 2022

By: /s/ George T. Phillips
George T. Phillips

Counsel for Respondent HomeAdvisor, Inc.