

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Joseph J. Simons, Chairman**
 Noah Joshua Phillips
 Rohit Chopra
 Rebecca Kelly Slaughter
 Christine S. Wilson

In the Matter of

**Axon Enterprise, Inc.,
a corporation,**

and

**Safariland, LLC,
a corporation.**

DOCKET NO. 9389

ORDER STAYING COMMENCEMENT OF EVIDENTIARY HEARING

On January 3, 2020, Respondent Axon Enterprise, Inc. (“Axon”) filed suit in the United States District Court for the District of Arizona seeking a declaration that Axon’s acquisition of VieVu LLC was lawful and that the FTC’s structure and administrative procedures are unconstitutional, and requesting injunctive relief against Commission adjudication of a challenge to the acquisition. On April 8, 2020, the district court dismissed Axon’s complaint due to a lack of subject matter jurisdiction. Axon appealed to the United States Court of Appeals for the Ninth Circuit. That appeal has now been fully briefed and argued.

On September 29, 2020, Axon filed an “Emergency Motion to Stay Administrative Trial” with the Ninth Circuit, asking the court to temporarily stay the evidentiary hearing scheduled before this Commission pending consideration of Axon’s appeal. On October 2, 2020, the Ninth Circuit granted Axon’s motion. Accordingly,

IT IS HEREBY ORDERED that the evidentiary hearing in this proceeding, scheduled to commence on October 13, 2020, is stayed until further order of the U.S. Court of Appeals for the Ninth Circuit and the Commission.

By the Commission.



April J. Tabor
Acting Secretary

SEAL:
ISSUED: October 8, 2020

