

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

\_\_\_\_\_  
In the Matter of \_\_\_\_\_  
UNION OIL COMPANY OF CALIFORNIA, \_\_\_\_\_  
a corporation. \_\_\_\_\_  
\_\_\_\_\_

DOCKET NO. 9305

The Honorable  
D. Michael Chappell  
Administrative Law Judge

UNOPPOSED MOTION OF TURNER MASON & COMPANY  
FOR EXTENSIONS OF TIME TO MOVE TO LIMIT OR QUASH AND TO RESPOND TO  
UNION OIL COMPANY OF CALIFORNIA'S SUBPOENA *DUCES TECUM*

Subpoenaed non-party Turner Mason & Company ("Turner"), through its undersigned counsel, moves pursuant to Federal Trade Commission Rules of Practice §3.22(d) to extend briefly the time by which Turner (a) may file a motion to limit or quash Union Oil Company of California's ("Unocal") subpoena *duces tecum*, which was issued on March 20, 2003, and (b) must produce documents in response to the subpoena, which is currently May 2, 2003.

Respondent Unocal served Turner with the subpoena on April 7, 2003, by first class mail. Under FTC Rules 4.4(b) and 4.3(c), the time to file a motion to limit or quash the subpoena under FTC Rule 3.34(c) would have expired April 21, 2003. Counsel for Turner and Unocal require additional time to resolve the proper scope of the subpoena and obviate any objections which Turner may have.

Subject to the ALJ's approval, counsel for Respondent Unocal and counsel for Turner have agreed to a ten (10) day extension from April 21, 2003, to May 1, 2003, for Turner to file a motion to limit or quash the subpoena *duces tecum*, and a ten (10) day extension from May 2, 2003,

to May 12, 2003, for Turner to produce documents in response to the subpoena. The extension is not sought for purposes of delay, but to allow for resolution of issues relating to Turner's obligations under the subpoena.

FTC Complaint Counsel has consented to this extension.

Accordingly, Turner respectfully requests that this motion be granted and that it be given until May 1, 2003, to file a motion to limit or quash the subpoena, and until May 12, 2003, to respond to the subpoena. A Proposed Order is attached.

Dated: April 21, 2003

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: \_\_\_\_\_

Bartholomew Verdirame

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Attorneys for Turner Mason & Company

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**The Honorable**  
**D. Michael Chappell**  
**Administrative Law Judge**

**ORDER GRANTING EXTENSION OF TIME [PROPOSED]**

Upon consideration of the Unopposed Motion Of Turner Mason & Company For Extensions Of Time To Move To Limit Or Quash And To Respond To Union Oil Company of California's Subpoena *Duces Tecum*, filed in the above-captioned matter on April 21, 2003, it is hereby ordered that Turner Mason & Company ("Turner") shall be given until May 1, 2003, to file a motion to limit or quash Union Oil Company of California's subpoena *duces tecum*, which was issued on March 20, 2003, and it is further ordered that Turner shall be given until May 12, 2003, to respond to the subpoena *duces tecum*.

ORDERED:

Dated: \_\_\_\_\_

\_\_\_\_\_  
D. Michael Chappell  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing *Unopposed Motion Of Turner Mason & Company For Extensions Of Time To Move To Limit Or Quash And To Respond To Union Oil Company of California's Subpoena Duces Tecum* and [Proposed] *Order Granting Extension Of Time* were served by the method indicated, this 21st day of April, 2003, on the following individuals:

**By Hand**

Hon. D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW  
Washington, DC 20580

Donald S. Clark  
(original and paper copy)  
Secretary, Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm 159  
Washington, DC 20580  
secretary@ftc.gov

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Complaint Counsel  
Bureau of Competition  
Federal Trade Commission  
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Washington, DC 20580

**Via Facsimile and Overnight Delivery**

Sara A. Poulos, Esq.  
Robins, Kaplan, Miller & Ciresi, L.L.P.  
800 LaSalle Avenue, Suite 2800  
Minneapolis, MN 55402

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Michael S. Marcus

**CERTIFICATION**

I hereby certify that an electronic copy of the *Unopposed Motion Of Turner Mason & Company For Extensions Of Time To Move To Limit Or Quash And To Respond To Union Oil Company of California's Subpoena Duces Tecum* is a true and correct copy of the paper original, and was served on Donald S. Clark, Secretary, Federal Trade Commission at secretary@ftc.gov, and that a paper copy with an original signature also is being served on the Secretary of the Federal Trade Commission.

\_\_\_\_\_  
Michael S. Marcus