

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

In the Matter of

**BASIC RESEARCH, L.L.C.,
A.G. WATERHOUSE, L.L.C.,
KLEIN-BECKER USA, L.L.C.,
NUTRASPORT, L.L.C.,
SOVAGE DERMALOGIC
LABORATORIES, L.L.C.,
BAN, L.L.C.,
DENNIS GAY,
DANIEL B. MOWREY, and
MITCHELL K. FRIEDLANDER,**

Respondents.

Docket No. 9318

PUBLIC DOCUMENT

**COMPLAINT COUNSEL'S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE OPPOSITION TO MOTION TO COMPEL**

Complaint Counsel move to extend the time to respond to Respondent Basic Research's Motion to Compel from September 27, 2004, to October 4, 2004, and in support thereof state as follows:

1. On September 10, 2004, Respondent Basic Research served its Motion to Compel. Complaint Counsel's response is currently due on August 27, 2004.
2. Pursuant to Rule of Practice 4.3, the Administrative Law Judge may extend any time limit prescribed or allowed by the Rules.
3. On September 23, 2004, Complaint Counsel, Robin M. Richardson, discussed the relief sought in this Request with counsel for Respondents, Jeffrey D. Feldman. Respondents have no objection to the requested extension.
4. Good cause exists to justify this brief extension because Complaint Counsel's time to

prepare its response to Basic Research's Motion to Compel fell within the same time period in which Complaint Counsel was responding to Respondent's Second Request for Production of Documents, First Request for Admissions, Respondents' Opposition to the Motion to Strike, and Respondent A.G. Waterhouse's First Set of Interrogatories. This time period also included the Jewish holidays.

5. A proposed order is attached hereto for the Court's convenience.

Respectfully submitted by:



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Joshua S. Millard (202) 326-2454
Robin M. Richardson (202) 326-2798
Laura Schneider (202) 326-2604

Division of Enforcement
Bureau of Consumer Protection
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
COUNSEL SUPPORTING THE COMPLAINT

Date: September 23, 2004

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of September, 2004, I caused *Complaint Counsel's Unopposed Motion for Extension of Time to File Opposition to Motion to Compel* to be served and filed as follows:

- (1) the original, two (2) paper copies filed by hand delivery and one (1) electronic copy via email to:
Donald S. Clark, Secretary
Federal Trade Commission
600 Penn. Ave., N.W., Room H-159
Washington, D.C. 20580
- (2) two (2) paper copies served by hand delivery to:
The Honorable Stephen J. McGuire
Administrative Law Judge
600 Penn. Ave., N.W., Room H-104
Washington, D.C. 20580
- (3) one (1) electronic copy via email and one (1) paper copy by first class mail to the following persons:

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COMPLAINT COUNSEL

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TO: The Honorable Stephen J. McGuire
Chief Administrative Law Judge

ORDER ON UNOPPOSED MOTION FOR EXTENSION OF TIME

THIS CAUSE came before the Administrative Law Judge on Complaint Counsel's Unopposed Motion for Extension of Time to File Opposition to Motion to Compel. Having reviewed the Motion, it is ORDERED that Complaint Counsel's Motion for Extension of Time is GRANTED. Complaint Counsel shall have up to and including October 4, 2004, to respond to Respondent's Motion to Compel.

DONE AND ORDERED this _____ day of September, 2004.

Stephen J. McGuire
Administrative Law Judge

Copies furnished to:
All counsel of record