

ORIGINAL

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**



In the Matter of)
)
HERBS NUTRITION CORPORATION)
a corporation, and)
)
SYED M. JAFRY,)
individually and as an officer of)
Herbs Nutrition Corporation,)
)
Respondents.)

DOCKET NO. 9325

**MOTION TO WITHDRAW FROM ADJUDICATION FOR PURPOSE OF
CONSIDERING PROPOSED CONSENT AGREEMENT**

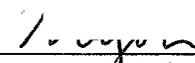
Pursuant to Rule 3.25(b) and (c) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(b) and (c), Complaint Counsel hereby moves that the above-captioned matter be withdrawn from adjudication for the purpose of considering the attached proposed consent agreement. The proposed Consent Agreement has been executed by *pro se* Respondents and by Complaint Counsel and has been approved by the Director of the Bureau of Consumer Protection. The proposed Consent Agreement, if accepted by the Commission, would resolve this matter in its entirety. The proposed Consent Agreement, which conforms to the requirements of 16 C.F.R. § 2.32, is attached to this motion.

Complaint Counsel requests that the Secretary, pursuant to Rule 3.25(c), enter the attached order withdrawing this matter from adjudication and staying all proceedings before the Administrative Law Judge pending a determination by the Commission with respect to the proposed Consent Agreement pursuant to Rule 3.25(f) of the Commission's Rules. Pursuant to Rule 3.25(b) Complaint Counsel further requests that the proposed Consent Agreement not be placed on the public record until it is accepted by the Commission.

Dated: December 21, 2007

Respectfully submitted,

12/21/07 12:30:19PM



Gregory A. Ashe
Janice P. Frankle
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
Counsel Supporting the Complaint

CERTIFICATE OF SERVICE

I, Gregory A. Ashe, hereby certify that on the 21st day of December, 2007, I filed a correct copy of (1) **MOTION TO WITHDRAW FROM ADJUDICATION FOR PURPOSE OF CONSIDERING PROPOSED CONSENT AGREEMENT** and (2) [proposed] **ORDER WITHDRAWING MATTER FROM ADJUDICATION FOR THE PURPOSE OF CONSIDERING A PROPOSED CONSENT AGREEMENT** upon the following as set forth below:

- (1) the original and one (1) paper copy filed by hand delivery to:

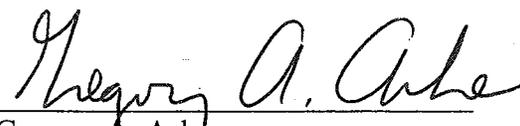
Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Ave., N.W., Room H-135
Washington, D.C. 20580
E-mail: secretary@ftc.gov

- (2) two (2) paper copies served by hand delivery to:

The Honorable Stephen J. McGuire
Administrative Law Judge
600 Pennsylvania Ave., N.W. Room H-106
Washington, D.C. 20580

- (3) one paper copy to:

Syed M. Jafry
2854 El Dorado Street
Torrance, CA 90503



Gregory A. Ashe

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**ORDER WITHDRAWING MATTER FROM ADJUDICATION FOR THE PURPOSE OF
CONSIDERING A PROPOSED CONSENT AGREEMENT**

Complaint Counsel having moved that this matter be withdrawn from adjudication to enable the Commission to consider a proposed Consent Agreement, and

Complaint Counsel having submitted a proposed Consent Agreement containing a proposed Order, executed by the Respondents and by Complaint Counsel and approved by the Director of the Bureau of Consumer Protection, which, if accepted by the Commission, would resolve this matter in its entirety;

IT IS ORDERED, pursuant to Rule 3.25(c) of the Commission Rules of Practice, 16 C.F.R. § 3.25(c), that this matter in its entirety be and it hereby is withdrawn from adjudication, and that all proceedings before the Administrative Law Judge be and they hereby are stayed pending a determination by the Commission with respect to the proposed Consent Agreement, pursuant to Rule 3.25(f), 16 C.F.R. § 3.25(f); and

IT IS FURTHER ORDERED, pursuant to Rule 3.25 (b) of the Commission Rules of Practice, 16 C.F.R. § 3.25(b), that the proposed Consent Agreement not be placed on the public record unless and until it is accepted by the Commission.

By the Commission.

Donald S. Clark
Secretary

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NON-PUBLIC DOCUMENT
AGREEMENT CONTAINING CONSENT ORDER