

The time periods prescribed by the Commission Rules of Practice ordinarily should afford parties to Commission proceedings sufficient time to file pleadings and briefs of sufficient quality and detail to aid in the preparation of Commission opinions and orders. The proximity of the current briefing schedule to the holidays, however, may interfere with that process. *See* Order Granting in Part and Denying in Part Joint Motion for Extension of Time and Length of Appeal Briefs, *In re Evanston Northwestern Healthcare Corporation*, Docket No. 9315 (Nov. 18, 2005) available at <http://www.ftc.gov/os/adjpro/d9315/051205orderd9315.pdf>. The Commission has therefore determined to grant an extension as to the initial brief and the answering brief. Because the time for filing the notice of cross-appeal has not expired, the Commission will issue a subsequent order regarding further briefing and a date for the oral argument. Accordingly,

IT IS ORDERED THAT (1) Complaint Counsel shall file their Appeal Brief on or before January 25, 2008, and (2) the appeal of Complaint Counsel shall be deemed perfected “by the timely filing of an appeal brief,” for purposes of Commission Rule 3.51(a), 16 C.F.R. § 3.51(a), if Complaint Counsel file their Appeal Brief by that date;

IT IS FURTHER ORDERED THAT (1) Respondent shall file its Answering Brief (including any Cross-Appeal Brief) on or before February 29, 2008, and (2) if Respondent pursues a cross appeal, it shall be deemed perfected “by the timely filing of an appeal brief” if Respondent files its Answering and Cross-Appeal Brief by that date, whether or not Complaint Counsel have previously perfected their appeal.

IT IS FURTHER ORDERED THAT all of the foregoing Briefs shall in all other respects conform to the requirements of Commission Rule 3.52, 16 C.F.R. § 3.52.

By the Commission.

C. Landis Plummer
Acting Secretary

ISSUED: December 28, 2007