

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
FEDERAL TRADE COMMISSION,)	
)	
Petitioner,)	
)	
v.)	Misc. No.
)	
SCOTT TARRIFF, <i>et al.</i> ,)	
)	
Respondents.)	
_____)	

ORDER TO SHOW CAUSE

Pursuant to the authority conferred by Sections 9 and 16 of the Federal Trade Commission Act, 15 U.S.C. §§ 49, 56, Petitioner, the Federal Trade Commission, has invoked the aid of this Court, pursuant to Fed. R. Civ. P. 81(a)(3), for an order requiring the Respondents Scott Tarriff, Edward Maloney, and Paul Campaenelli to comply in full with subpoenas *ad testificandum* issued to each of them in aid of a law enforcement investigation being conducted by the Commission. (FTC File No. 071-0060).

The Court has considered the Commission's Petition for an Order Enforcing Subpoenas and the papers filed in support thereof; and it appears to the Court that Petitioner has shown good cause for the entry of this Order. It is by this Court hereby

ORDERED that Respondents appear at _____ m. on the _____ day of _____, 2008, in Courtroom No. _____, United States Courthouse, Washington, D.C., and show cause, if any there be, why this Court should not grant said Petition and enter an Order enforcing the subpoenas issued to the Respondents and directing them to immediately set a date to provide their testimony, such date being within 30 days of the date of the Order. Unless the Court determines otherwise,

notwithstanding the filing or pendency of any procedural or other motions, all issues raised by the Petition and supporting papers, and any opposition to the Petition will be considered at the hearing on the Petition, and the allegations of said Petition shall be deemed admitted unless controverted by a specific factual showing.

IT IS FURTHER ORDERED that, if Respondents believe it necessary for the Court to hear live testimony, they must file an affidavit reflecting such testimony (or if a proposed witness is not available to provide such an affidavit, a specific description of the witness's proposed testimony) and explain why Respondents believe live testimony is required.

IT IS FURTHER ORDERED that, if Respondents intend to file pleadings, affidavits, exhibits, motions or other papers in opposition to said Petition or to the entry of the Order requested herein, such papers must be filed and hand-delivered to Petitioner's counsel by ___ a.m./p.m. on _____, 2008. Such submission shall include, in the case of any affidavits or exhibits not previously submitted, or objections not previously made to the Federal Trade Commission in support of the Petition to Quash filed by respondents, if any, an explanation as to why such objections were not made or such papers or information not submitted to the Commission. Any reply by Petitioner shall be filed with the Court and received by Respondents by ____ a.m./p.m. on _____, 2008.

IT IS FURTHER ORDERED, pursuant to Fed. R. Civ. P. 81(a)(3), that this is a summary proceeding and that no party shall be entitled to discovery without further order of the Court upon a specific showing of need; and the dates for a hearing and the filing of papers established by this Order shall not be altered without prior order of the Court upon good cause shown; and

IT IS FURTHER ORDERED, pursuant to Fed. R. Civ. P. 81(a)(3), that a certified copy of this Order and copies of said Petition and the Memorandum of Points and Authorities in support

thereof filed herein, be served forthwith upon Respondents, or their counsel, by Petitioner by personal service, or by certified or registered mail return receipt requested, or by overnight express delivery service.

SO ORDERED:

United States District Judge

Dated: _____, Washington, D.C.