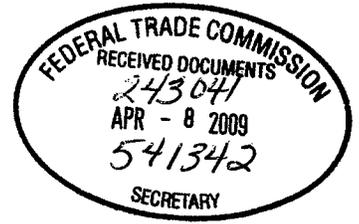


ORIGINAL



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

_____)
In the Matter of _____)
POLYPORE INTERNATIONAL, INC., _____)
Respondent. _____)
_____)

Docket No. 9327

**ORDER GRANTING JOINT MOTION
TO REVISE THE SCHEDULING ORDER**

I.

On April 7, 2009, the parties submitted a joint motion to modify the Scheduling Order to obtain an extension of time for the filing of *in camera* motions for designated non-party witness deposition transcripts. The parties also jointly request a modification of the pretrial brief requirement.

II.

A.

The Scheduling Order deadline for filing motions for *in camera* treatment is April 9, 2009. The parties seek to defer the deadline for filing *in camera* motions for designated non-party witness deposition transcripts until it is determined whether the designated transcripts will be offered and admitted into evidence. The parties represent that non-parties have complained to the parties that the burden of going through the deposition testimony to determine whether they need to seek *in camera* treatment for each designated portion of their transcripts is onerous and may not be necessary if the deposition transcripts are not offered into evidence. The parties state that they have agreed to provide 10 days advance notice to a non-party prior to offering such non-party's designated deposition testimony into evidence.

The parties have provided a reasonable basis for allowing non-parties to defer filing motions for *in camera* treatment for designated non-party witness transcripts until after the parties have determined whether to call such individuals to testify at trial or to offer such transcripts into evidence. The parties shall provide 10 days advance notice to non-parties prior to seeking to introduce such non-party's designated deposition testimony into evidence.

B.

The parties also request a modification to the pretrial brief requirements. In lieu of filing proposed findings of facts and conclusions of law, the parties wish to file pretrial briefs, with a maximum 40 page limit, that address all contested issues, with factual issues supported by document and/or deposition citations. The parties state that they are reluctant to develop detailed findings of fact that may not accurately reflect the actual evidence that ultimately will be introduced at trial.

The parties have demonstrated a reasonable basis for revising the provision in the Scheduling Order requiring the parties to file proposed findings of fact and conclusions of law. Accordingly, the parties may, instead, file pretrial briefs, limited to 40 pages, that address all contested issues and provide legal authority for all propositions, with factual issues supported by document and/or deposition citations.

III.

Upon consideration of the arguments raised in the Joint Motion, it is GRANTED.

ORDERED:



D. Michael Chappell
Administrative Law Judge

Dated: April 8, 2009