

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

ORIGINAL



In the Matter of )

POM WONDERFUL LLC and )  
ROLL INTERNATIONAL CORP., )  
companies, and )

STEWART A. RESNICK, )  
LYNDA RAE RESNICK, and )  
MATTHEW TUPPER, individually and )  
as officers of the companies, )  
Respondents. )

DOCKET NO. 9344

**ORDER GRANTING JOINT MOTION  
TO AMEND SCHEDULING ORDER**

On February 25, 2011, the parties filed a Joint Motion to Amend Scheduling Order, requesting an order extending the deadline for the issuance of requests for admission (“RFAs”) from February 25, 2011 to March 4, 2011. A previous order, dated January 3, 2011, extended this deadline from January 14, 2011 to February 25, 2011.

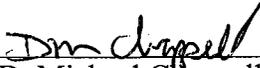
The parties state that they are actively working to resolve several remaining written discovery requests that they anticipate will affect preparation of their RFAs, and that the extension will benefit the parties by enabling them to issue the RFAs after completion of the written discovery.

Commission Rule of Practice 3.21(c)(2) states: “The Administrative Law Judge may, upon a showing of good cause, grant a motion to extend any deadline or time specified in this scheduling order other than the date of the evidentiary hearing . . . In determining whether to grant the motion, the Administrative Law Judge shall consider any extensions already granted, the length of the proceedings to date, the complexity of the issues, and the need to conclude the evidentiary hearing and render an initial decision in a timely manner.” 16 C.F.R. § 3.21(c)(2).

Good cause exists for the extension sought. Although there have been a number of prior extensions granted in this matter, the proposed extension will not delay any other deadlines set forth in the Scheduling Order, including the date set for the evidentiary hearing. Furthermore, it does not appear that extending the deadline to a date shortly after the completion of written discovery will lengthen the proceedings or interfere with the timely completion of the hearing or initial decision.

Accordingly, the Joint Motion to Amend Scheduling Order is GRANTED, and it is hereby ORDERED, that the deadline for issuing requests for admission under the Scheduling Order shall be March 4, 2011. The remaining dates and all additional provisions in the October 26, 2010 Scheduling Order are unchanged.

ORDERED:

  
\_\_\_\_\_  
D. Michael Chappell  
Chief Administrative Law Judge

Date: February 28, 2011