

ORIGINAL



UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of)
)
McWANE, INC.,)
a corporation, and)
)
STAR PIPE PRODUCTS, LTD.,)
a limited partnership.)

PUBLIC

Docket No. 9351

Second Unopposed Motion for Extension of Time

Dana Kepner Company, Inc. ("Dana Kepner") files this motion to extend the time permitted for Dana Kepner to move to limit or quash the Subpoena *Duces Tecum* served on Dana Kepner by McWane, Inc. ("McWane") on February 29, 2012. Dana Kepner requests that it have until March 30, 2012 to move to limit or quash the Subpoena. Dana Kepner and McWane previously agreed to extend Dana Kepner's deadline to move to limit or quash the Subpoena until March 20, 2012, which extension was granted by order of the Chief Administrative Law Judge signed March 14, 2012. Counsel for Dana Kepner and McWane continue to negotiate to try to reach an agreement about the Subpoena, and McWane's counsel does not oppose this second extension of time for Dana Kepner to file any motion to limit or quash while the parties continue to negotiate in good faith the scope of the Subpoena.

McWane also served a Subpoena *Ad Testificandum Deposition* on Dana Kepner on February 29, 2012 with a March 26, 2012 deposition date. The parties have conferred regarding rescheduling the date of this deposition and are still in the process of identifying a mutually agreeable time to conduct it.

WHEREFORE, Dana Kepner respectfully requests that this Second Unopposed Motion for Extension of Time be granted and that Dana Kepner be given until March 30, 2012 to move to limit or quash the Subpoena issued by McWane.

Dated: March 19, 2012.

Respectfully submitted,

s/ Adam L. Massaro 

Burke Riggs

Adam L. Massaro

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**PROPOSED ORDER RE: SECOND UNOPPOSED MOTION FOR EXTENSION OF
TIME**

On March 19, 2012, Dana Kepner Company, Inc. (“Dana Kepner”) submitted a second unopposed motion to extend the time in which to file a Motion to Limit or Quash the Subpoena *Duces Tecum* served on Dana Kepner on February 29, 2012 by McWane, Inc. (“McWane”). Dana Kepner previously received an extension of time through March 20, 2012. McWane’s counsel does not oppose an extension of time through March 30, 2012, so the parties may continue to try to reach an agreement regarding the Subpoena.

Based on the foregoing, Dana Kepner’s Second Unopposed Motion for Extension of Time is GRANTED. It is hereby ORDERED that the time in which Dana Kepner may file a Motion to Limit or Quash McWane’s Subpoena *Duces Tecum* is extended through March 30, 2012.

D. Michael Chappell
Administrative Law Judge

Dated: March _____, 2012.

CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2012, I filed the foregoing document electronically in PDF format using the FTC's E-Filing System, which will send notification of such filing to:

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

I hereby certify that on March 19, 2012, I caused to be served one copy via electronic mail delivery and one copy via federal express of the foregoing document upon:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
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I hereby certify that on March 19, 2012, I caused to be served one copy via electronic mail delivery of the foregoing document upon:

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I also certify that the electronic PDF copy of the foregoing document sent to the Secretary of the Commission via the FTC E-Filing System is a true and correct copy of the original in my possession, which is available for review by the parties and the adjudicator.

Dated: March 19, 2012

By: s/ Adam L. Massaro
Adam L. Massaro