

ORIGINAL

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



In the Matter of)
)

POM WONDERFUL LLC and)
ROLL GLOBAL LLC,)

as successor in interest to)
Roll International Corporation,)
companies, and)

DOCKET NO. 9344

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

**ORDER EXTENDING TIME FOR FILING INITIAL DECISION
PURSUANT TO COMMISSION RULE 3.51**

Commission Rule of Practice 3.51(a) provides that “[t]he Administrative Law Judge shall file an initial decision within 70 days after the filing of the last filed initial or reply proposed findings of fact, conclusions of law and order pursuant to § 3.46.” 16 C.F.R. § 3.51(a). The last reply proposed findings and conclusions and briefs were filed February 7, 2012. Pursuant to Rule 3.51, therefore, the Initial Decision would be filed on or before April 17, 2012. Commission Rule 3.51(a) further provides that “[t]he Administrative Law Judge may extend [this time period] by up to 30 days for good cause.” 16 C.F.R. § 3.51(a).

The record requiring review and analysis in this matter is voluminous. Nearly 2,000 exhibits were admitted, including numerous complex scientific studies, surveys, and expert reports. In addition, 24 witnesses testified, either live or by deposition, including 14 expert witnesses, and there are 3,273 pages of trial transcript. The parties submitted 3,929 proposed findings of fact (1,130 by Complaint Counsel and 2,799 by Respondents). The parties’ proposed findings of fact and conclusions of law, replies to proposed findings of fact and conclusions of law, post-trial briefs, and reply briefs total 3,396 pages. Moreover, in addition to other docketed matters before the Office of the Administrative Law Judges (OALJ), circumstances beyond the control of the undersigned have resulted in the extended absence of one of the OALJ’s two attorney advisors.

Based on the foregoing, good cause exists to extend the deadline for filing the Initial Decision in this matter, by 30 days, to May 17, 2012.

ORDERED:

DM Chappell
D. Michael Chappell
Chief Administrative Law Judge

Date: April 16, 2012