

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



COMMISSIONERS: **Edith Ramirez, Chairwoman**  
**Julie Brill**  
**Maureen K. Ohlhausen**  
**Joshua D. Wright**  
**Terrell McSweeney**

\_\_\_\_\_ )  
**In the Matter of** )  
 )  
**ECM BioFilms, Inc.,** ) **Docket No. 9358**  
**a corporation, also d/b/a** ) **PUBLIC DOCUMENT**  
**Enviroplastics International** )  
\_\_\_\_\_ )

**JOINT MOTION FOR EXTENSION  
OF WORD COUNT LIMITATION**

Pursuant to Commission Rule of Practice 3.52(c)(2) and (k), the parties hereby move for a 2,500-word extension of the limits for the parties’ opening and answering briefs, for a limit of 16,500 words in each brief.

Although such extensions are disfavored, an extension is appropriate “where a party can make a strong showing that undue prejudice would result from complying with the existing limit.” 16 C.F.R. § 3.52(k). The existing limit would prevent the parties from providing the Commission with a complete statement of their positions on appeal. The record is voluminous and highly technical. Specifically, the record includes testimony from 29 witnesses (including eight experts in arcane fields such as plastics and landfill engineering), more than 1,700 exhibits, over 3,400 proposed findings of fact, and no less than 52 biodegradation tests (in addition to four consumer perception studies). The Administrative Law Judge’s opinion substantially added to this volume: the Initial Decision is 323 pages and makes 1,539 findings of fact. Only with an

extension of the word count limit will the parties have sufficient opportunity to synthesize this enormous record in a complete, accurate, and nuanced way.

In short, undue prejudice will result from the existing word limits. For this reason, the parties respectfully request a 2,500-word extension of the limits for the opening and answering appeals briefs, for a limit of 16,500 words each.

Dated: February 24, 2015

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2015, I caused a true and correct copy of the foregoing to be served as follows:

One electronic copy to the **Office of the Secretary**, and one copy through the FTC's e-filing system:

Donald S. Clark, Secretary  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Room H-159  
Washington, DC 20580  
Email: secretary@ftc.gov

One electronic copy and one hard copy to the **Office of the Administrative Law Judge**:

The Honorable D. Michael Chappell  
Administrative Law Judge  
600 Pennsylvania Ave., NW, Room H-110  
Washington, DC 20580

I further certify that I possess a paper copy of the signed original of the foregoing document that is available for review by the parties and the adjudicator.

Date: February 24, 2015

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Notice of Electronic Service for Public Filings

**I hereby certify that on February 24, 2015, I filed via hand a paper original and electronic copy of the foregoing Joint Motion For Extension Of Word Count Limitation, with:**

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**I hereby certify that on February 24, 2015, I filed via E-Service of the foregoing Joint Motion For Extension Of Word Count Limitation, with:**

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