

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman
Terrell McSweeney

)
In the matter of:)

Jerk, LLC, a limited liability company,)
also d/b/a JERK.COM, and)

) DOCKET NO. 9361
)
)

John Fanning,)
individually and as a member of)
Jerk, LLC,)

) Respondents.)
_____)

**UNOPPOSED MOTION OF RESPONDENT JOHN FANNING
TO ENLARGE TIME TO FILE BRIEF**

Respondent John Fanning, by and through counsel, hereby respectfully requests this Commission to enlarge the briefing schedule set forth in its March 3, 2017 Order Scheduling Briefing on Remand by twenty-three (23) days, as follows:

April 12, 2017 Deadline for Fanning's Brief

April 26, 2017 Deadline for Complaint Counsel's Answering Brief

May 3, 2017 Deadline for Fanning's Reply

In support of the request, Fanning states as follows:

1. On March 3, 2017, the Commission issued an Order Scheduling Briefing on Remand. The Order required Fanning to submit a brief on or before March 20, 2017 addressing Paragraph VI of the Commission's Final Order.

2. On March 17, 2017, Fanning filed a Motion for Clarification with the First Circuit Court of Appeals, requesting the Court clarify its Opinion and Judgment regarding remand and Paragraph VI of the Commission's Final Order.

3. On March 20, 2017, Fanning filed with the Commission a Motion to Stay and Continue Remand Proceedings pending the First Circuit's ruling on Fanning's Motion for Clarification. Complaint Counsel agreed not to oppose this request.

4. On March 21, 2017, the First Circuit denied Fanning's Motion for Clarification.

5. Fanning now requests a short extension of time to prepare a brief pursuant to the Commission's March 3, 2017 Order.

6. Counsel for the Commission does not oppose the extension.

7. No other party will suffer any undue prejudice from the brief extension as requested.

For the foregoing reasons, Respondent John Fanning requests this Commission to extend the briefing schedule as described above.

Respectfully submitted,

JOHN FANNING,

By his attorney,

/s/ Peter F. Carr, II

Peter F. Carr, II

ECKERT, SEAMANS, CHERIN & MELLOTT, LLC

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617.342.6899 (FAX)

Dated: March 22, 2017

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2017, I caused a true and accurate copy of the foregoing to be served electronically through the FTC's e-filing system and I caused a true and accurate copy of the foregoing to be served as follows:

One electronic copy to the Office of the Secretary:

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

One electronic copy to the Office of the Administrative Law Judge:

The Honorable D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Avenue, N.E., Room H-110
Washington, DC 20580
Email: ojl@ftc.gov

One electronic copy to the Office of the Counsel for the Federal Trade Commission:

Sarah Schroeder
Federal Trade Commission
901 Market Street, Suite 670
San Francisco, CA 94103
Email: sschroeder@ftc.gov

One electronic copy via email to Counsel for Jerk, LLC:

Alexandria B. Lynn
48 Dartmouth Street
Watertown, MA 02472
Email: ab.lynn@outlook.com

/s/ Peter F. Carr, II
Peter F. Carr, II

Dated: March 22, 2017

Notice of Electronic Service

I hereby certify that on March 22, 2017, I filed an electronic copy of the foregoing Unopposed Motion of Respondent John Fanning to Enlarge Time to File Brief, with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on March 22, 2017, I served via E-Service an electronic copy of the foregoing Unopposed Motion of Respondent John Fanning to Enlarge Time to File Brief, upon:

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Complaint

I hereby certify that on March 22, 2017, I served via other means, as provided in 4.4(b) of the foregoing Unopposed Motion of Respondent John Fanning to Enlarge Time to File Brief, upon:

Alexandria Lynn
Alexandria Beth Lynn
Alexandria B. Lynn, Esq.
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Respondent

Peter Carr
Attorney