

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF THE ADMINISTRATIVE LAW JUDGES
Washington, D.C.



In the Matter of

ECM BioFilms, Inc.,
a corporation, also d/b/a
Envioplastics International,

Respondent.

Docket No. 9358

ORIGINAL

PUBLIC DOCUMENT

**JOINT MOTION TO EXTEND THE DEADLINE TO FILE EXPERT WITNESS
RELATED MOTIONS *IN LIMINE***

Pursuant to the Federal Trade Commission's Rule of Practice 16 C.F.R. 3.32(f), Respondent ECM BioFilms, Inc. ("ECM") hereby submits this Joint Motion to extend the deadline for filing motions *in limine* related to expert witnesses for three days from the present deadline of July 14, 2014 to a proposed deadline of July 16, 2014. One of Complaint Counsel Katherine Johnson and one of ECM's counsel Peter Arhangelsky agreed today to file this joint motion to enable both sides to complete expert discovery before any such motions are filed. Good cause exists for granting this joint motion. Complaint Counsel's final deposition of ECM's experts is currently scheduled for July 15, 2014. Thus if submissions are required by today, two ECM expert witness depositions (one today and one tomorrow) would not be completed within the original deadline set by the Court.

All other deadlines in the Third Revised Scheduling Order remain unaffected by this motion.

Date: July 14, 2014

/s/ Jonathan W. Emord
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Respectfully submitted,

STATEMENT CONCERNING MEET AND CONFER

Pursuant to Rule 3.22(g), 21 C.F.R. § 3.22(g), the undersigned counsel certifies that the parties have conferred in a good faith effort to address the issues raised in the foregoing Motion, and ECM and Ms. Johnson have agreed to the relief jointly requested.

Date: July 14, 2014

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**[PROPOSED] ORDER GRANTING
THE PARTIES' JOINT MOTION TO EXTEND THE DEADLINE TO FILE
EXPERT WITNESS RELATED MOTIONS *IN LIMINE***

This matter having come before the Chief Administrative Law Judge on July 14, 2014, upon a Joint Motion to Extend the Deadline to File Expert Related Motions *in Limine*, it is hereby ORDERED that the Joint Motion is GRANTED.

It is FURTHER ORDERED that the Scheduling Order shall be revised to reflect the dates set forth in the parties Joint Motion:

- July 16, 2014: Deadline for filing motions *in limine* to preclude admission of evidence.

SO ORDERED:

D. Michael Chappell
Chief Administrative Law Judge

Date:

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2014, I caused a true and correct copy of the paper original of the foregoing to be served as follows:

One electronic copy to the **Office of the Secretary** through the e-filing system:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Room H-113
Washington, DC 20580
Email: secretary@ftc.gov

One electronic courtesy 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

One electronic copy to **Counsel for Complainant**:

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I further certify that I retain a paper copy of the signed original of the foregoing document that is available for review by the parties and adjudicator consistent with the Commission's Rules.

/s/ Jonathan W. Emord

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