

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

FEDERAL TRADE COMMISSION,

Petitioner,

v.

Case No: 6:18-mc-27-Orl-40GJK

DEREK J. BARTOLI,

Respondent.

ORDER

Before the Court is a petition (the “Petition”) from the Federal Trade Commission (“FTC”) to enforce a Civil Investigative Demand (“CID”) served on Respondent, Derek J. Bartoli. Doc. No. 1. On December 23, 2017, the FTC served the CID on Mr. Bartoli, but he failed to provide any responses to the same. *Id.* at 8-9. On April 16, 2018, the FTC filed the Petition, requesting an order directing Mr. Bartoli to appear and show cause as to why he should not comply with the CID. *Id.* at 17. On May 23, 2018, the undersigned issued an order requiring Mr. Bartoli to fully comply with the CID within fourteen days and setting a July 16, 2018 show cause hearing provided that Mr. Bartoli failed to fully comply with the CID. Doc. No. 2 at 4; Doc. No. 3.

On June 29, 2018, Mr. Bartoli filed a notice stating that he has produced documents in response to the CID. Doc. No. 8 at 1. On July 11, 2018, the FTC filed a notice stating that Mr. Bartoli has produced documents in response to the CID, but it declined to take the position that such documents are fully responsive to the same. Doc. No. 11 at 1. The FTC also states that Mr. Bartoli has agreed to appear for testimony on July 26, 2018. *Id.* The FTC is “currently making arrangements for this testimony in the expectation [that] Mr. Bartoli will honor this commitment.” *Id.*

Given that Mr. Bartoli has: 1) provided some documents in response to the CID; and 2) agreed to give testimony after the scheduled date for the show cause hearing, the Court finds it appropriate to cancel the show cause hearing and direct the FTC to file a notice regarding the status of the CID's enforcement after Mr. Bartoli gives his testimony. The Court will consider scheduling another show cause hearing should Mr. Bartoli fail to give testimony or otherwise fail to comply with the CID.

Considering the foregoing, it is **ORDERED** that:

- 1) The show cause hearing set for July 16, 2018 is **CANCELLED**; and
- 2) **On or before August 6, 2018**, the FTC shall file a notice regarding the status of the CID's enforcement.

DONE and ORDERED in Orlando, Florida on July 12, 2018.



GREGORY J. KELLY
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
Counsel of Record
Unrepresented Parties