

The time periods we provide in our Rules of Practice should afford parties to FTC proceedings sufficient time to file pleadings and briefs of sufficient quality and detail to aid in the preparation of Commission opinions and orders. We also recognize that in any litigation involving a consummated merger, unnecessary delay at any step along the way to final resolution may increase the risk of ongoing injury to consumers and competition. This risk is especially serious in cases like this one, where the complaint alleges that the merger has violated the FTC Act and the Clayton Act because it may substantially lessen competition or tend to create a monopoly in one or more relevant markets. For these reasons, we are reluctant to extend briefing periods beyond those prescribed by the Commission Rules of Practice.

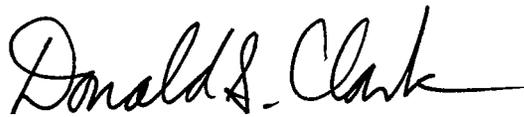
The Commission nonetheless recognizes that there was a substantial volume of evidence presented in this matter concerning the four markets at issue. For this reason, some timing accommodation, on balance, is appropriate to give Respondents and Complaint Counsel adequate time to prepare their appeals.

Accordingly, for the foregoing reasons, upon consideration of Respondents' Motion For Extension of Time To File Appeal Brief, and Complaint Counsel's Response thereto,

IT IS ORDERED THAT (1) Respondents shall file their initial brief on appeal from the Initial Decision by August 4, 2003, and (2) Respondents' appeal shall be deemed perfected "by the timely filing of an appeal brief," for purposes of Commission Rule 3.51(a), 16 C.F.R. § 3.51(a), if Respondents file their initial brief on appeal by that date; and

IT IS FURTHER ORDERED THAT (1) Complaint Counsel shall file their initial brief on appeal by September 10, 2003, and (2) Complaint Counsel's appeal shall be deemed perfected "by the timely filing of an appeal brief" if Complaint Counsel file their brief on appeal by that date, whether or not Respondents have previously perfected their appeal.

By the Commission.



Donald S. Clark
Secretary

ISSUED: July 17, 2003