

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Joseph J. Simons, Chairman**
 Maureen K. Ohlhausen
 Noah Joshua Phillips
 Rohit Chopra
 Rebecca Kelly Slaughter

In the Matter of

**Louisiana Real Estate Appraisers Board,
Respondent**

DOCKET NO. 9374

PUBLIC

ORDER STAYING ADMINISTRATIVE PROCEEDING

On April 10, 2018, the Commission issued an Opinion and Order¹ that denied Respondent’s motion to dismiss the complaint, and dismissed Respondent’s third and ninth affirmative defenses.² On April 19, 2018, Respondent filed a petition for review of the Commission Opinion and Order with the United States Court of Appeals for the Fifth Circuit. On April 20, 2018, Respondent filed a motion to stay proceedings in this matter pending appellate review of its Petition. On June 6, 2018, the Commission denied that motion.³ On June 11, 2018, Respondent filed a motion to stay this proceeding pending appeal with the Court of

¹ *In the Matter of Louisiana Real Estate Appraisers Board, Docket No. 9374*, Opinion and Order of the Commission (April 10, 2018), at 21, available at https://www.ftc.gov/system/files/documents/cases/d09374_opinion_and_order_of_the_commission_04102018_redacted_public_version.pdf.

² Answer of Respondent Louisiana Real Estate Appraisers Board to the Complaint (June 19, 2017), at 12, available at <https://www.ftc.gov/system/files/documents/cases/d09374lreabanswer.pdf>. Affirmative Defense No. 3 avers that “[t]he Complaint fails adequately to allege that the Board has a controlling number of active participants in the relevant **residential** appraisal market” (emphasis in original), while Affirmative Defense No. 9 avers that the Respondent “is immune from federal antitrust liability under *Parker v. Brown*, 317 U.S. 341 (1943).”

³ Commission Order Denying Stay Pending Appellate Review (June 6, 2018), available at https://www.ftc.gov/system/files/documents/cases/d09374_lreab_order_denying_stay_pending_appellate_review_06062018.pdf.

Appeals for the Fifth Circuit. On July 17, 2018, the Court of Appeals for the Fifth Circuit issued the attached Order granting that Motion until further order of that court. Accordingly,

IT IS HEREBY ORDERED that all proceedings before the Commission and the Administrative Law Judge in this matter, including the Oral Argument currently scheduled for August 27, 2018, be, and they hereby are, stayed until further order of the Court of Appeals for the Fifth Circuit and the Commission.

By the Commission.

Donald S. Clark
Secretary

SEAL:
ISSUED: July 19, 2018

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 18-60291

LOUISIANA REAL ESTATE APPRAISERS BOARD,

Petitioner

v.

FEDERAL TRADE COMMISSION,

Respondent

Petition for Review of an Order of the
Federal Trade Commission

Before DAVIS, OWEN, and ENGELHARDT, Circuit Judges.

PER CURIAM:

IT IS ORDERED that Petitioner's opposed motion to stay administrative proceedings pending review is GRANTED until further order of this court.