

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

**COMMISSIONERS:           Maureen K. Ohlhausen, Acting Chairman  
                                  Terrell McSweeney**

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**In the Matter of** )  
 )  
**Louisiana Real Estate Appraisers Board,** )       **Docket No. 9374**  
**Respondent** )  
\_\_\_\_\_ )

**ORDER DENYING MOTION FOR EXPEDITED REVIEW**

On April 20, 2018, Respondent Louisiana Real Estate Appraisers Board moved to stay this proceeding pending judicial review by the U.S. Court of Appeals for the Fifth Circuit of the Commission’s April 10, 2018, Opinion and Order denying Respondent’s Motion to Dismiss Complaint and granting Complaint Counsel’s Motion for Partial Summary Decision regarding Respondent’s state action defenses (“Motion to Stay”). On the same day Respondent also submitted a Motion for Expedited Review requesting that the Commission rule upon the Motion to Stay on or before May 2, 2018.<sup>1</sup>

On April 24, 2018, the Commission issued an Order Seeking Supplemental Briefing, Scheduling Oral Argument, Extending Deadline for Commission Ruling, and Rescheduling Commencement of Evidentiary Hearing. The Order moved the date for commencement of the evidentiary hearing in this proceeding from June 11, 2018, to October 15, 2018. Pre-trial deadlines established with reference to the previous June 11, 2018, hearing date may now be adjusted by the presiding Chief Administrative Law Judge. Respondent predicated its Motion for Expedited Review on the proximity of the start of trial, and the delay of the trial date removes those timing concerns.

On April 26, 2018, the United States Senate voted to confirm five nominees to the Federal Trade Commission, four of whom are expected to receive their commissions in the coming days. Because the Commission is in the midst of change, it is appropriate to defer a ruling on the Motion to Stay until incoming Commissioners are able to participate. Although the Commission plans to address the Motion to Stay expeditiously, action by May 2, 2018, would not be consistent with the extant circumstances.

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<sup>1</sup> Respondent also requested the Commission to direct Complaint Counsel to respond to the Motion to Stay by April 25. Complaint Counsel have already filed an Opposition to the Motion to Stay, so that portion of Respondent’s motion for expedition is moot.

Accordingly,

**IT IS HEREBY ORDERED** that Respondent Louisiana Real Estate Appraisers Board's Motion for Expedited Review is **DENIED**.

By the Commission.

Donald S. Clark  
Secretary

SEAL:

ISSUED: April 27, 2018