

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of	)	
	)	
RagingWire Data Centers, Inc.	)	Docket No. 9386
	)	
a corporation,	)	
	)	
Respondent.	)	
	)	

**ORDER GRANTING RESPONDENT’S MOTION FOR EXTENSION  
OF TIME TO RESPOND TO DISCOVERY REQUESTS**

On December 27, 2019, Respondent RagingWire Data Centers, Inc. (“Respondent” or “RagingWire”) filed a motion for an extension of time in which to respond to certain discovery requests served by Federal Trade Commission (“FTC”) Complaint Counsel (“Motion”). The Motion is GRANTED IN PART and DENIED IN PART, as explained below.<sup>1</sup>

According to the Motion, Respondent’s responses to Complaint Counsel’s first set of interrogatories and first request for production of documents would be due January 9, 2020, but Respondent’s staff and personnel required to respond to the discovery requests are out of the office until January 6, 2020. The Motion further represents that Respondent’s counsel and Complaint Counsel met to discuss an extension of time for Respondent’s discovery responses, and that, as a result of those discussions, Complaint Counsel (1) agreed to a two-week extension of time for Respondent to respond to Complaint Counsel’s first set of interrogatories, until January 23, 2020, and (2) rejected Respondent’s request for a one-week extension “to file objections [to Complaint Counsel’s request for production of documents] and to determine how long it would take Respondent to fully produce the requested materials.” Motion at 2.

Respondent requests an order (1) incorporating the parties’ agreed extension of time until January 23, 2020 for Respondent to respond to Complaint Counsel’s first set of interrogatories and (2) granting a 30-day extension of time until February 9, 2020 for Respondent to respond to Complaint Counsel’s first request for production of documents.

<sup>1</sup> FTC Rule 3.22(f) authorizes the Administrative Law Judge to resolve a party’s motion for extension of time without waiting for a response by the opposing party. 16 C.F.R. § 3.22(f).

Based on the representations in the Motion, there is no dispute as to an extension of time until January 23, 2020 for Respondent to respond to Complaint Counsel's interrogatories. Therefore, that request is GRANTED.

The Motion fails to justify a 30-day extension of time, until February 9, 2020, to respond to Complaint Counsel's request for production of documents. The Motion acknowledges that knowledgeable personnel of Respondent will be available as of January 9, 2020. Respondent's request for a 30-day extension is therefore DENIED. A two-week extension, until January 23, 2020, is sufficient to compensate for delay occasioned by holiday absences. In this regard, Respondent's Motion is GRANTED IN PART.

Accordingly, Respondent's Motion is GRANTED IN PART and DENIED IN PART, and it is hereby ORDERED that Respondent shall serve its responses to Complaint Counsel's first set of interrogatories and first request for production of documents by January 23, 2020.

ORDERED:

  
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D. Michael Chappell  
Chief Administrative Law Judge

Date: December 30, 2019