

PUBLIC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE JUDGES**

**Before the Honorable D. Michael Chappell
Administrative Law Judge**

In the Matter of

**Axon Enterprise, Inc.
a corporation,**

and

**Safariland, LLC,
a corporation,**

Respondents.

Docket No. 9389

**NON-PARTY SAFE FLEET HOLDINGS, LLC UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO FILE MOTION FOR *IN CAMERA* TREATMENT**

Pursuant to Rule 3.21 of the Federal Trade Commission’s (“FTC”) Rules of Practice (“Rules of Practices”) and 16 CFR § 3.45(b), non-party Safe Fleet Holdings, LLC (“Safe Fleet”) respectfully moves this Court for a two-day extension of the September 23, 2020 deadline, to September 25, 2020, to file a motion for *in camera* treatment. The FTC and Respondent Axon Enterprises, Inc. (“Axon”) do not oppose Safe Fleet’s motion.

1. On or about September 11, 2020, counsel for FTC (“Complaint Counsel”) provided notice by electronic correspondence to counsel for Safe Fleet that it intended to designate certain documents, data, and deposition testimony of Safe Fleet (the “Safe Fleet Confidential Materials”) for possible introduction as exhibits at the hearing in this matter.

2. On or about September 12, 2020, counsel for Axon provided notice by electronic correspondence that it also intended to designate Safe Fleet Confidential Materials for possible

introduction at the hearing in this matter. Counsel for Axon provided counsel for Safe Fleet with copies of the Safe Fleet Confidential Materials for Safe Fleet's review.

3. Complaint Counsel and counsel for Axon have indicated that the deadline for Safe Fleet's motion for *in camera* treatment for any Safe Fleet Confidential Materials is Wednesday, September 23, 2020.

4. Safe Fleet and its counsel are in the process of reviewing the Safe Fleet Confidential Materials. However, Safe Fleet's Chief Legal Officer and principal is out of the office and unavailable during the week of September 12 to September 20, and will need to review the Safe Fleet Confidential Materials. Accordingly, additional time is needed to complete the review process and to prepare the requisite showing under 16 C.F.R. § 3.45(b) that those Safe Fleet Confidential Materials are entitled to *in camera* treatment.

5. Therefore, Safe Fleet requests that this Court grant it an additional two days, until Friday September 25, 2020, to file a motion for *in camera* treatment.

6. Counsel for Safe Fleet has conferred with Complaint Counsel and Axon's counsel and neither opposes this motion.

Dated: New York, New York
September 16, 2020

Respectfully submitted,

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

/s/ Edward C. Robinson Jr.

Aidan Synnott

Edward C. Robinson Jr.

1285 Avenue of the Americas
New York, New York 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
asynnott@paulweiss.com
erobinson@paulweiss.com

Counsel for Safe Fleet Holdings, LLC

CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2020, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Acting Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

The Honorable D. Michael Chappell
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

I further certify that I delivered via electronic mail a copy of the foregoing document to:

Complaint Counsel

Alexander Ansaldo
Hana Verwilt
Christian Glover
Susan Musser
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580
Phone: (202) 326-2638
Facsimile: (202) 326-2071
Email: jansaldo@ftc.gov
Email: hverwilt@ftc.gov
Email: cglover@ftc.gov
Email: smusser@ftc.gov

Counsel for the Federal Trade Commission

Respondent

Jordan Baumann
JONES DAY
325 John H. McConnell Boulevard, Suite 600
Columbus, OH 43215-2673
Tel: 614.281.3800
jbaumann@jonesday.com

Ryan T. Liddell
Debra R. Belott
Julie McEvoy
JONES DAY
51 Louisiana Avenue, NW
Washington, DC 20001
Tel: 202-879-3751
rliddell@jonesday.com
dbelott@jonesday.com
jmcevoy@jonesday.com

Aaron M. Healey
JONES DAY
250 Vesey Street
New York, NY 10281-1047
ahealey@jonesday.com

Counsel for Respondent Axon Enterprises, Inc.

Dated: September 17, 2020

/s/ Edward C. Robinson Jr.

Edward C. Robinson Jr.