









late March. Respondents again asked Complaint Counsel to agree to either take the deposition before the extended deadline or exclude the declaration. Complaint Counsel declined.

In view of these circumstance, Respondents respectfully suggest that the Court resolve the pending Motion to Enforce the Discovery Cutoff and Exclude a Declaration by requiring that Complaint Counsel arrange for the declarant's deposition to be taken by March 26, 2021 if Complaint Counsel wishes to admit or use the declaration in this matter. This would allow Respondents to take the deposition and consider the testimony obtained in that deposition before the March 31 deadline for deposing Complaint Counsel's expert, who cites to the relevant declaration in his report.

Dated: March 3, 2021

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### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on March 3, 2021, I caused a true and correct copy of the foregoing Supplemental Filing In Support Of Motion To Enforce The Discovery Cutoff And Exclude A Declaration to be filed electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor  
Acting Secretary  
Federal Trade Commission  
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The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-110  
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I also certify that I caused the foregoing document to be served via email to:

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