

**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 RESPONDENT’S RENEWED EXPEDITED MOTION TO STAY  
PART 3 ADMINISTRATIVE PROCEEDINGS AND MOVE THE EVIDENTIARY  
HEARING DATE**

On January 10, 2018, the Commission issued an order scheduling oral argument on two pending motions in this proceeding – a Motion to Dismiss Complaint, filed by Respondent Louisiana Real Estate Appraisers Board, and a Motion for Partial Summary Decision, submitted by Complaint Counsel (“the pending motions”). The Commission’s order scheduled oral argument on February 22, 2018, and moved the deadlines for the Commission’s rulings on the pending motions to April 9, 2018.

One day later, Respondent moved (1) to stay the administrative proceeding until the Commission renders its decisions on the pending motions and (2) to delay the start of the evidentiary hearing from May 30, 2018 to August 27, 2018. Respondent argued that granting its motion would avoid expenses of pretrial activity that might prove unnecessary, depending on how the Commission resolves the pending motions. On January 12, 2018, the Commission denied Respondent’s motion. The Commission found that routine discovery costs of the type that Respondent sought to avoid generally do not outweigh the competing public interest in the efficient and expeditious resolution of litigated matters. The Commission also noted that, as previously requested by Respondent, the Commission had already stayed the proceeding and delayed commencement of the evidentiary hearing by four months.

On January 31, 2018, Respondent requested that the Commission reconsider its January 12 order; stay the administrative proceeding until after the Commission renders its decision on the pending motions; and move the starting date for the evidentiary hearing to September 10, 2018. Again, Respondent cites the cost of litigation. It elaborates regarding the burdens and distractions that litigation imposes and urges that a stay could permit the resolution of important issues presented in this case regarding the state action doctrine in a manner least disruptive to its

operations and budgetary concerns. Complaint Counsel have opposed Respondent's renewed motion.

Respondent has identified no changes in fact or law or other new considerations or circumstances that would warrant reconsideration. *Cf.* Commission Rule of Practice 3.55 (limiting petitions for reconsideration to "new questions raised by the decision or final order and upon which the petitioner had no opportunity to argue before the Commission"). Viewed as a self-standing request, the renewed motion is largely a repetition and elaboration of arguments that Respondent has already made. For the same reasons stated in our January 12 order, Respondent's renewed motion is denied.

Accordingly,

**IT IS ORDERED** that the Renewed Expedited Motion of Respondent Louisiana Real Estate Appraisers Board to Stay Part 3 Administrative Proceedings and Move the Evidentiary Hearing Date is hereby **DENIED**.

By the Commission.

Janice Podoll Frankle  
Acting Secretary

SEAL:

ISSUED: February 16, 2018