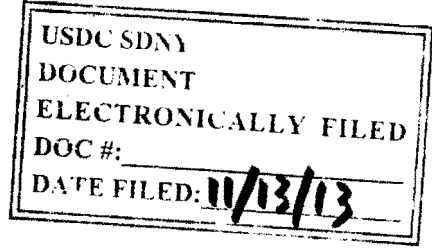


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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

 FEDERAL TRADE COMMISSION,)
)
)
) Petitioner,)
)
) v.)
)
) THE WESTERN UNION COMPANY,)
)
) and)
)
) LONNIE KEENE, MONITOR,)
)
) Respondents.)

AKH
 Case No. 1:13-mc-00131-~~AKH~~
 (Nature of Case M 18-304:
 Administrative Subpoena Proceedings)



~~PROPOSED~~ ORDER TO SHOW CAUSE

Petitioner, the Federal Trade Commission ("FTC" or "Commission"), has filed an application for an order to show cause why respondent The Western Union Company ("Western Union") should not be held in civil contempt on the grounds that it has failed to be reasonably diligent and energetic in attempting to comply with this Court's order dated June 7, 2013.

The Court has considered the Commission's application, supporting memorandum of law, and exhibits, and it appears to the Court that petitioner has shown good cause for the entry of this order. It is by this Court hereby

✓ ORDERED that respondent Western Union appear at 2:30 p.m. on the 11th day of Dec, 2013, in Courtroom No. 14D of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, N.Y., 10007-1312, and show cause, if any there

be, why this Court should not grant the Commission's application and impose the following relief intended to secure Western Union's compliance with the June 7 order:

First, that Western Union comply with the June 7 order by executing the final search protocol issued by the FTC on August 8, 2013 and begin producing the results to the FTC no later than November 18, 2013 ("Contempt Order");

Second, that Western Union complete production of all responsive information and provide the certification of compliance required by paragraph 16 of the June 7 order no later than December 20, 2013;

Third, that Western Union pay coercive sanctions of \$140,534 per day for (1) each day between November 18, 2013 and the first production of information to the FTC resulting from execution of the final search protocol, and (2) for each day between December 20, 2013 and production of the certification of compliance pursuant to paragraph 16 of the June 7 order; and

Such other relief as the Court deems just and proper; or

Alternatively, that Western Union comply with the final search protocol and produce the responsive documents by December 20, 2013.


IT IS FURTHER ORDERED that, if any respondent believes it necessary for the Court to hear live testimony, it must file an affidavit reflecting such testimony (or if a proposed witness is not available to provide such an affidavit, a specific description of the witness's proposed testimony) and explain why the respondent believes live testimony is required.

IT IS FURTHER ORDERED that, if any respondent intends to file pleadings, affidavits, exhibits, motions, or other papers in opposition to said application or to the entry of the order requested therein, such papers must be filed with the Court and received by petitioner's counsel

✓ on the 27th day of Dec., 2013. Such submission shall include, in the case of any affidavits or exhibits not previously submitted, or objections not previously made to the Federal Trade Commission, an explanation as to why such objections were not made or such papers or information not submitted to the Commission. Any reply by petitioner shall be filed with the ✓ Court and received by respondents on the 5th day of Dec., 2013.

IT IS FURTHER ORDERED, pursuant to Fed. R. Civ. P. 26(a)(1)(B)(v) and 81(a)(5), that this is a summary proceeding and that no party shall be entitled to discovery without further order of the Court upon a specific showing of need; and that the dates for a hearing and the filing of papers established by this order shall not be altered without prior order of the Court upon good cause shown.

SO ORDERED:


United States District Judge

Dated: Nov. 12 2013, New York, N.Y.

