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

)	
In the Matter of)	
)	
Dr. Michael J. Galvin,)	Docket No. 9445
)	
Appellant.)	
)	

**ORDER STRIKING THE AUTHORITY’S BRIEF,
PROPOSED FINDINGS OF FACT, AND CONCLUSIONS OF LAW
WITHOUT PREJUDICE TO REFILEING**

My January 8, 2026 Order directed certain requirements for the parties’ initial and reply proposed findings of fact, conclusions of law, proposed order, and supporting legal briefs. Among those requirements were that:

5. All proposed findings of fact must be supported by specific references to the record, as contained in the Appeal Book (“AB”).

....

10. Do not cite to more than one copy of the same document. *E.g.*, if identical copies of the arbitrator’s decision appear, at pages 100 and 200 of the AB, cite consistently to only one of the two copies.

Despite these instructions, the Authority’s Brief, Proposed Findings of Fact and Conclusions of Law, filed February 17, 2026, do not cite to AB pagination, but cite, instead, to Tabs it created in the AB and to individual pages within those Tabs.

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Thus, although the AB consists of pages numbered 1 through 1441, none of the Authority's page citations identify the AB page referred to.

The Authority's Brief, Proposed Findings of Fact and Conclusions of Law are non-compliant with the requirements of my January 8, 2026 Order. Indeed, the citation form used in the filings here is not consistent with that which the Authority has used in numerous other HISA cases reviewed in this Court, where page citations refer to the AB pagination. Plainly, if the citation form adopted by the Authority were permitted, there would be no point to paginating the AB to begin with.

Accordingly, it is hereby **ORDERED** that:

1. The Authority's Brief, Proposed Findings of Fact and Conclusions of Law are **STRIKEN WITHOUT PREJUDICE** to refile, on or before 5:00 p.m. on February 23, 2026. The refiled version should be submitted together with the Authority's proposed order and must be entitled "Authority's Corrected Brief, Proposed Findings of Fact and Conclusions of Law, and Proposed Order." Besides correcting the form of citation, this filing must otherwise be identical to the version filed on February 17, 2026.

2. Dr. Galvin's time to file his reply papers is **EXTENDED** to and including 10 days after the Authority makes the filing called for by paragraph 1.

3. The Authority must **SERVE AND FILE** its reply papers in response to Dr. Galvin's initial set of papers on or before February 27, 2026. This differential

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treatment assures that the Authority's non-compliant February 17 filing does not enable it to receive additional time to prepare its reply papers.

ORDERED:

Jay L. Himes _____

Jay L. Himes
Administrative Law Judge

Date: February 18, 2026