examiner's rulings excluding certain other documents offered by respondent be, and they hereby are, denied.

It is further ordered, That respondent's application for release of confidential information be, and it hereby is, denied.

BAKERS FRANCHISE CORP. ET AL.

Docket 7472. Order, Nov. 6, 1959

Interlocutory order upholding the hearing examiner's denial of application for confidential documents in F.T.C. files already denied by Commission.

The respondents having filed an interlocutory appeal from the hearing examiner's ruling of September 2, 1959, denying their application for a subpoena duces tecum directing the Secretary of the Commission to appear at a designated hearing and produce certain documents allegedly contained in the files of the Commission; and

Said respondents, acting under §1.134 of the Commission's Rules of Practice, having previously filed with the Commission an application requesting the release of the same documents or, in the alternative, requesting the Commission to declare that any such documents do not constitute or contain confidential materials; and

The Commission, on September 14, 1959, having entered its order denying said application, which order was supported by an accompanying opinion setting forth the reasons therefor and clearly recognizing the confidential status of the requested documents; and

The hearing examiner being without authority to require the production of confidential information or material from the Commission's files, and it thus appearing that his ruling denying the respondents' application for subpoena was the only ruling he could have made:

It is ordered, That the respondents' appeal from said ruling be, and it hereby is, denied.

BERGER WATCH COMPANY ET AL.

Docket 6894. Order, Dec. 7, 1959

Order denying, as untimely, application to intervene by respondent in a similar proceeding, currently pending (p. 991 herein).