worth, Executive Vice-President and General Manager, California Redwood Association, be, and it hereby is, denied.

BROWNING KING & COMPANY, INC., ET AL.

Docket 7060. Order, May 4, 1960

Interlocutory order upholding denial of motion to dismiss.

This matter having been heard by the Commission upon respondents' interlocutory appeal from the hearing examiner's ruling denying respondents' motion to dismiss the complaint, in support of which respondents have filed a brief and a supplemental brief; and

It appearing that the only effect of the hearing examiner's ruling denying respondents' motion to dismiss for alleged failure of proof is to require respondents to present their defense and, thus, it is not shown that the ruling involves any substantial rights or that it will materially affect the final decision in this matter; and

The Commission, therefore, being of the opinion that respondents' appeal is not one to be granted under §3.20 of the Commission's Rules of Practice, and that, in the circumstances, no useful purpose would be served by granting respondents' request for oral argument on the appeal:

It is ordered, That respondents' interlocutory appeal and their request for oral argument on the appeal be, and they hereby are, denied.

LIFETIME CUTLERY CORP. ET AL.

Docket 7292. Order, May 23, 1960

Interlocutory order denying respondents' appeal from the hearing examiner's order, holding relevancy of evidence to be received and place of hearings to be peculiarly within his sound discretion.

Respondents having filed an interlocutory appeal from the hearing examiner's order of May 2, 1960, giving notice of a hearing to be held in Providence, Rhode Island, beginning on May 25, 1960; and

It appearing that the grounds in support of said appeal are that the subject matter of the proposed hearing is not within the scope of the Commission's order of October 30, 1959, remanding this case for additional evidence, and that the selection of Providence, Rhode Island, as the place of hearing is arbitrary and unreasonable; and

The Commission being of the opinion that the questions thus raised, namely, the relevancy of evidence to be received and the place of hearings, are matters peculiarly within the sound discretion of the hearing examiner, and that his determinations of such questions should not be disturbed in the absence of a showing of abuse of this discretion; and

The Commission being of the further opinion that in this instance no such abuse has been shown:

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

H. P. HOOD & SONS, INC.

Docket 7709. Order, May 23, 1960

Interlocutory order upholding—on the basis of the Commission's traditional policy against injecting itself into the trial of adjudicatory proceedings—the hearing examiner's denial of respondent's pre-trial motion for order directing counsel to furnish opposing counsel names and affiliations of witnesses.

The respondent having filed an interlocutory appeal from the hearing examiner's order denying its pretrial motion for an order directing counsel to furnish opposing counsel, not less than two weeks prior to each hearing, the names and company affiliations of witnesses whom they expect to call at such hearings; and

The Commission having considered the appeal's arguments that sound administrative policy requires that motions for exchange of witnesses' names be granted save in extraordinary circumstances and that its hearing examiners should be so instructed by the Commission, but the Commission having determined that just disposition of those and other procedural requests requires that broad discretion be exercised by such officers and that a contrary policy would violate the Commission's traditional policy against injecting itself into the trial of adjudicatory proceedings; and