denied. An order directing the issuance of an amended and supplemental complaint shall issue.

J. C. MARTIN CO. ET AL.

Docket 8520. Order, May 31, 1963

Order denying respondent's motion to file appeal from hearing examiner's order suspending case until Court of Appeals, District of Columbia, rules on respondent's petition.

Order Denying Respondent's Motion to File Interlocutory Appeal

Respondent John Kaslow has filed on May 16, 1963, a request for permission to file an interlocutory appeal from the hearing examiner's order of May 10, 1963, providing (1) that in the event the Court of Appeals for the District of Columbia Circuit fails to grant respondent's Petition for Stay Pending Appeal, answer to the complaint herein and other motions are to be filed within five days from the date said Court issues its ruling, and (2) that the hearing set for June 17, 1963, be cancelled subject to being reset upon five days notice. Respondent also objects to the hearing examiner's deferring his ruling on respondent's motion to dismiss the complaint until the conclusion of complaint counsel's case-in-chief.

Upon consideration of respondent's motion, the Commission has determined that the matters set forth therein do not satisfy the re-