Lock Company and granting permission to file an interlocutory appeal.

Order Granting Interlocutory Appeal and Amending Complaint

This matter having come before the Commission upon the respondents' request for permission to file an interlocutory appeal

from the hearing examiner's order of December 23, 1966, granting in part and denying in part motions to strike and dismiss and therein ordering that the complaint be dismissed as to respondent Independent Lock Company to the extent only that it charges Independent Lock Company with a violation of Section 7 of the Clayton Act, as amended, and denying respondents' motion to strike the allegations of the complaint charging them with violation of Section 5 of the Federal Trade Commission Act; and

The Commission (1) having determined that the respondents have made the showing required by Section 3.20 of the Commission's Rules of Practice, and that, therefore, the request should be granted; and (2) having further determined that the Section 5 charge should be stricken from the complaint, and that the complaint should in all respects be dismissed as to the Independent Lock Company,

It is ordered, That the request of respondents for permission to file an interlocutory appeal be, and it hereby is, granted; and upon consideration of such interlocutory appeal,

It is further ordered, That the allegations of the complaint relating to violation of Section 5 of the Federal Trade Commission Act, be, and they hereby are, stricken.

It is further ordered, That the complaint be, and it hereby is, dismissed in all respects as to respondent Independent Lock Company.

LEON A. TASHOF TRADING AS NEW YORK JEWELRY COMPANY