

tion market due to circumstances that could not be foreseen by a trustee in bankruptcy at the time of the acquisition? To resolve such questions would surely lengthen the hearings and shed little, if any, light on the central issues. Accordingly,

*It is ordered*, That the appeal of Colonial Sand & Stone Co., Inc., from the hearing examiner's order of January 21, 1971, be, and it hereby is, granted.

*It is further ordered*, That the appeal of Andrew La Grega Ready Mix Corporation and others, from the hearing examiner's order of January 21, 1971, be, and it hereby is, granted.

*It is further ordered*, That the subpoenas issued by the hearing examiner directed to appellants herein be, and they hereby are, quashed.

Chairman Kirkpatrick dissented to the foregoing action, and Commissioner MacIntyre did not participate.

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### THE FIRESTONE TIRE & RUBBER COMPANY

*Docket 8818. Order, March 4, 1971*

Order adopting suggestions of SOUP, INC., an intervenor, that it submit one copy of required documents, that the Commission pay for any costs charged for production of documents specified in the subpoena SOUP has requested, and holding in abeyance the suggestion that the Commission pay fees of those witnesses SOUP proposes to call at hearings.

#### ORDER ADOPTING IN PART THE HEARING EXAMINER'S RECOMMENDATIONS AND HOLDING PART THEREOF IN ABEYANCE

This matter is before the Commission upon the hearing examiner's certification of December 14, 1970, along with his recommendations, of SOUP's motion of November 17, 1970, to proceed *in forma pauperis* in Docket No. 8818, a proceeding in which SOUP has been permitted to participate to a limited degree. In his certification the hearing examiner recommends that the motion be partially granted and partially denied.

The motion seeks the following three rights:

- (1) Submission of one copy of motions, briefs, and other documents instead of the ordinarily prescribed number of copies;
- (2) The Commission will pay the witness fees of the five witnesses SOUP proposes to call at the hearings; and
- (3) The Commission will pay any costs respondent and/or its advertising agency may charge for production of the documents specified in the subpoena *duces tecum* SOUP has requested. \* \* \*

In his certification the hearing examiner recommends that (1) be granted; that (2) be granted to the extent of payment of witness fees, but be denied as to payment for witnesses' traveling or sub-