

IN THE MATTER OF
THE SPERRY AND HUTCHINSON COMPANY

Docket 8671. Notice, Feb. 16, 1973.

Notice of Commission action to reconsider findings of fact, conclusions, opinion and final order relating to Count III of the complaint; granting both sides opportunity to file briefs and reply briefs; and advising of intent to schedule oral argument not earlier than ten days after the date set for the filing of reply briefs.

NOTICE OF COMMISSION ACTION TO RECONSIDER PORTION OF THE
ORDER AND TO PERMIT PARTIES TO SUBMIT WRITTEN AND ORAL
ARGUMENT

The Supreme Court of the United States [405 U.S. 233] having remanded this case to the United States Court of Appeals for the Fifth Circuit with instructions to remand the case to the Commission for such further proceedings not inconsistent with the Supreme Court's opinion, as may be appropriate, and the case having been remanded to the Commission by the said Court of Appeals, the Commission has determined to reconsider its findings of fact, conclusions, opinion and final order relating to Count III of the complaint.

To facilitate reconsideration of the matter relating to Count III of the complaint, complaint counsel and respondent are hereby granted thirty (30) days from the date of receipt of this notice to file with the Commission briefs (not to exceed sixty (60)

pages) as to whether respondent's practices, though posing no threat to competition within the precepts of the antitrust laws, are nevertheless (1) unfair methods of competition, and/or (2) unfair or deceptive acts or practices. Of particular interest to the Commission is the extent to which there is evidentiary support in the record that the challenged practices may be unfair to the consuming public, stamp exchanges or retailers. Ten days from the date of receipt of the brief, each side may file a reply brief (not to exceed fifteen (15) pages).

The Commission intends to schedule oral argument in this matter not earlier than ten (10) days after the date set for the filing of reply briefs.

IN THE MATTER OF

AVNET, INC.

ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION