

Order

IN THE MATTER OF
AMERICAN HOME PRODUCTS CORPORATION, ET AL.*Docket 8918. Order, May 16, 1973.*

Order denying respondents' (1) petition for extraordinary review of the administrative law judge's orders denying respondents' motion for a more definite statement and refusing to make a determination allowing an immediate appeal, and (2) motion for stay of respondents' time to answer the complaint; and granting respondents' motion for stay of time to answer the complaint up to and including five days after service of the order.

ORDER DENYING PETITION FOR EXTRAORDINARY REVIEW,
APPLICATION FOR INTERLOCUTORY REVIEW AND RULING UPON
MOTION FOR STAY

On March 29, 1973, respondents filed with the administrative law judge a motion for a more definite statement of the allegations contained in the administrative complaint. By order filed on April 12, 1973, the administrative law judge denied respondents' motion. On April 18, 1973, respondents filed a request with the administrative law judge for a determination allowing an immediate appeal from his order of April 12, 1973, and for a stay of the proceedings. The administrative law judge denied both the application for a determination allowing an immediate appeal and the application for a stay by an order filed on April 20, 1973.

On April 25, 1973, respondents filed with the Commission (1) a petition for extraordinary review by the Commission, of the administrative law judge's orders denying respondents' motion for a more definite statement and refusing to make a determination allowing an immediate appeal; (2) an application for interlocutory review of the administrative law judge's order denying respondents' motion for a more definite statement; and (3) a motion for stay of respondents' time to answer the complaint. On May 2, 1973, complaint counsel filed a reply to the respondents' petition.

Upon consideration of the foregoing documents filed by respondents, the reply filed by complaint counsel and upon consideration of the administrative law judge's order filed on April 12, 1973, the Commission has determined that respondents have not made a sufficient showing for the granting of an interlocutory review or appeal under either Section 3.23(a) or Section 3.23(b) of the Commission's Rules of Practice. Accordingly,

Order

82 F.T.C.

It is ordered, That the aforesaid petition and application filed by respondents be, and the same hereby are, denied.

In view however of the circumstance that the time allowed for filing respondents' answer has expired,

It is further ordered, That respondents' motion for stay of time to answer the complaint be granted up to and including five (5) days after service of this order.
