

expressing the opinion that under the circumstances described in Section 5.45(b) of Rules of Practice authorizes the administrative law judge to order a closed hearing. Administrative law judge ordered to provide the Commission with a copy of the order disposing of aforesaid request.

Appearances

For the Commission: *Quentin McColgin* and *David Keehn*.

For the respondents: *Pro se*.

ORDER REMANDING MOTION FOR *In Camera* HEARINGS TO THE
ADMINISTRATIVE LAW JUDGE

By motion to the administrative, law judge, complaint counsel request (1) that testimony of certain witnesses be placed *in camera* pursuant to Section 3.45(b) of the Rules of Practice and (2) that the General Counsel be directed to seek modification of the order [of] the Florida District Court which order now forbids testimony by said witnesses in this matter. The administrative law judge concluded that the Florida District Court would be unlikely to modify its order unless such testimony was taken in a closed hearing. He interpreted Section 3.41(a) of the Rules of Practice as precluding him from ordering such a hearing and therefore, he certified to the Commission complaint counsel's request for *in camera* treatment along with the request that modification of the order be sought.

After due consideration of the nature of complaint counsel's motion and the meaning of Sections 3.41(a) and 3.45(b), the Commission concludes that Section 3.45(b) is a specific exception to the general rule requiring public hearings stated in Section 3.41(a); that under the circumstances described therein, Section 3.45(b) authorizes the administrative law judge to order a closed hearing; and that complaint counsel's second request was properly certified to the Commission, but cannot be disposed of until the administrative law judge rules on the first request; accordingly,

It is further ordered, That complaint counsel's request for *in camera* treatment of the testimony of certain witnesses be, and it hereby is, remanded to the administrative law judge for disposition consistent with the above;

It is further ordered, That the administrative law judge provide the Commission with a copy of the order disposing of the aforesaid request for *in camera* treatment.

IN THE MATTER OF

W. T. GRANT COMPANY

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATIONS
OF THE TRUTH IN LENDING AND THE FEDERAL TRADE
COMMISSION ACTS