
IN THE MATTER OF
WARNER-LAMBERT COMPANY

Docket 8891. Order, Apr. 4, 1975.

Respondent's motion asking confirmation that reply brief is due on Apr. 8, 1975,
granted.

Appearances

For the Commission: *Wallace S. Snyder* and *William S. Busker*.

For the respondent: *Herbert A. Bergson, Bergson, Borkland,*

Order

85 F.T.C.

Margolis & Adler, Wash., D.C. *Mudge, Rose, Guthrie & Adler*, New York City.

ORDER CONFIRMING DEADLINE FOR FILING OF REPLY BRIEF

Having received official Commission service of complaint counsel's Answering Brief on Mar. 28, 1975, respondent asks confirmation that its Reply Brief is due on Apr. 8, 1975, even though that is the day before oral argument in this matter. Complaint counsel report that the Answering Brief was actually delivered to respondent's counsel on Mar. 26 and that a typewritten copy was sent two days earlier. Complaint counsel point out that Section 3.52(d) of the Commission's Rules of Practice allows a party seven days after the *receipt* of the Answering Brief to file a Reply Brief and argue that respondent should be deemed to have received the Answering Brief on Mar. 26. However, in view of the Commission's past practices in this and other matters, we conclude that respondent is justified in construing the date of official Commission service as the commencement of the seven-day period provided in Section 3.52(d). Accordingly,

It is ordered, That the aforesaid motion be, and it hereby is, granted.
