
IN THE MATTER OF
HOLLYWOOD CARPETS, INC., ET AL.

Docket 8983. Order, Aug. 14, 1975

Denial of respondents' request for leave to file an answering brief to complaint counsel's appeal from the initial decision.

Appearances

For the Commission: *Everette E. Thomas, Richard C. Donohue, and Thomas J. Keary.*

For the respondents: *Noble & Lorsen, Wash., D.C.*

ORDER DENYING REQUEST FOR LEAVE TO FILE ANSWERING
BRIEF

Respondents herein on July 31, 1975 filed with the Commission a motion for leave to file a brief in answer to complaint counsel's appeal from the initial decision of the administrative law judge, the thirty-day period of time for the filing of said answering brief allowed by Section

3.52(c) of the Commission's Rules of Practice having expired. As grounds for the request respondents state that the work schedule of counsel, complicated by shortage of personnel in the office, prohibited the brief from being filed on time. Respondents also contend that inasmuch as oral argument has been waived, no prejudice is likely to occur with respect to any party. Annexed to said motion is respondents' "Answering Brief."

Complaint counsel have filed an answer in opposition to respondents' motion wherein they point out that respondents' answer to the complaint in this proceeding, respondents' proposed findings and respondents' notice of intention to appeal the initial decision have all been untimely filed.

The Commission has concluded that good cause has not been shown for the relief requested and is therefore of the opinion that respondents' motion should be denied and that all copies of the "Answering Brief" filed with said motion should be returned to respondents by the secretary.

Accordingly, *It is ordered*, That the aforesaid request by respondents for leave to file an answering brief be, and it hereby is, denied.