

Order

89 F.T.C.

IN THE MATTER OF
EXXON CORPORATION, ET AL.

Docket 8934. Interlocutory Order, Mar. 8, 1977

Denial of respondents' motion for reconsideration.

ORDER DENYING MOTION FOR RECONSIDERATION

On Jan. 25, 1977, the Commission issued an order denying respondents' request for interlocutory review of the administrative law judge's protective order of Jan. 5 on the ground that the ALJ, pursuant to Section 3.23(b) of the Commission's Rules of Practice, had not made a determination that an appeal would be appropriate. The Commission noted that, despite the parties' suggestions to the contrary, the law judge had certified to the Commission only one portion of his protective order (paragraph nine) regarding assurances of prior notification before confidential information is disclosed pursuant to Freedom of Information Act and Congressional committee requests. The portion of the order certified was the subject of a separate Commission order of Jan. 31. In that order the Commission again noted that the ALJ had certified only one portion of the order.

Respondents argue that the Jan. 25 order, unless modified, will work serious prejudice to respondents since "[i]n light of the uniformity of the parties' interpretation of the Administrative Law Judge's certification and the absence of any indication that such certification was in any way limited to fewer than all of the issues raised by the protective order, respondents refrained from filing any separate certification request with the Administrative Law Judge." Finally, respondents argue that the Jan. 31 order "appears to confirm the validity of respondents' concerns about the reliability of any protective order entered by this agency."

With respect to respondents' claim of prejudice, the Commission notes that on Feb. 3, the ALJ issued an order confirming that his certification was limited to paragraph nine. On Feb. 10, "in consideration of respondents' assertion that the reason they did not request certification of my protective order within the time allowed was their understanding that the entire order had been certified," he authorized the filing of respondents' request for certification and, thereupon, denied the request. As for respondents' claim going to the merits of the Commission's Jan. 31 order, the Commission adheres to its view that the order provides appropriate protection. Accordingly,

It is ordered, That the aforesaid motion for reconsideration be, and it hereby is, denied.

Complaint

IN THE MATTER OF
CEZAR, LTD., ET AL.CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION AND TEXTILE FIBER
PRODUCTS IDENTIFICATION ACTS*Docket C-2873. Complaint, Mar. 14, 1977 — Decision, Mar. 14, 1977*

Consent order requiring a New York City importer and manufacturer of men's and boys' shirts, among other things to cease violating the Textile Fiber Products Identification Act by misbranding textile fiber products and failing to maintain required records.

Appearances

For the Commission: *Martin Gorman.*
For the respondents: *Pro se.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, as amended, and the Textile Fiber Products Identification Act and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Cezar, Ltd., a corporation, and William Arnold, individually and as an officer of said corporation, hereinafter sometimes referred to as respondents, have violated the provisions of said Acts and the rules and regulations promulgated under the Textile Fiber Products Identification Act, and it now appearing to the Commission that a proceeding by it in respect thereof would be in the public interest hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Cezar, Ltd. is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York, with its office and principal place of business located at 232 Madison Ave., New York, New York.

Respondent William Arnold is an officer of the corporate respondent. He formulates, directs and controls the acts and practices of the corporate respondent including the acts and practices hereinafter set forth. His address is the same as that of the corporate respondent.

Respondents are now, and for some time last past have been, engaged in the importation and sale of textile fiber products including but not limited to men's shirts.

PAR. 2. Respondents are now and for some time past have been engaged in the introduction, sale, advertising, and offering for sale, in commerce, and in the transportation or causing to be transported in