

Interlocutory Orders, Etc.

IN THE MATTER OF

**TRAFFIC JAM EVENTS, LLC.
AND
DAVID J. JEANSONNE II***Docket No. 9395. Order, August 26, 2021*

Order rescheduling evidentiary hearing and extending prehearing deadlines.

ORDER RESCHEDULING EVIDENTIARY HEARING AND CONTINUING PREHEARING DEADLINES

Complaint Counsel have moved to reschedule the date of commencement of the evidentiary hearing in this proceeding from September 14, 2021, to November 16, 2021, and to extend all existing prehearing deadlines by the same 63 days. Complaint Counsel's Expedited Motion to Continue Evidentiary Hearing and Prehearing Deadlines (Aug. 18, 2021) ("Motion to Continue"). Respondents oppose the motion but do not explain to the Commission why it should be denied. Email from counsel for Respondents to Mr. Pablo Zylberglait (Aug. 25, 2021).

Complaint Counsel maintain that the requested adjustments are desirable in light of a motion for summary decision dated August 14, 2021, filed by Complaint Counsel and pending before the Commission. Complaint Counsel's Motion for Summary Decision. Briefing on this motion will run into September, and there is insufficient time for the Commission to rule on it by September 14.

Complaint Counsel urge that the motion for summary decision could obviate the need for the evidentiary hearing or narrow the scope of that hearing and prehearing submissions Motion to Continue at 3. Indeed, conducting an evidentiary hearing in a context where all or some of the issues may be decided by summary decision could impose unnecessary burdens and expenses on the parties and nonparty witnesses. Commission rules authorize the Commission to defer the start of an evidentiary hearing upon a showing of good cause. 16 C.F.R. §§ 3.21(c)(1) & 3.41(b). In order to allow time for the Commission to address the summary decision motion, we find good cause to reschedule the evidentiary hearing to commence on November 16, 2021, and to extend all prehearing deadlines by a corresponding period. *Cf. In re Hackensack Meridian Health, Inc.*, 2021 WL 3109607 (F.T.C. July 1, 2021) (finding a continuance justified when additional time could obviate the need for an evidentiary hearing without unduly delaying the Commission proceeding); *In re Thomas Jefferson Univ.*, Docket No. 9392, 2020 WL 7237952, at *2 (F.T.C., Nov. 6, 2020) (same). Accordingly,

IT IS HEREBY ORDERED that Complaint Counsel's Expedited Motion to Continue Evidentiary Hearing and Prehearing Deadlines is **GRANTED**; and

IT IS FURTHER ORDERED that the evidentiary hearing in this proceeding shall commence at 10:00 a.m. on November 16, 2021, and, unless modified by the Chief Administrative Law Judge, all prehearing deadlines in this proceeding shall be extended by sixty-three (63) days.

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By the Commission.

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IN THE MATTER OF

TRAFFIC JAM EVENTS, LLC.
AND
DAVID J. JEANSONNE II*Docket No. 9395. Order, August 30, 2021*

Order extending the deadline for the Respondents' submission.

ORDER EXTENDING BRIEFING SCHEDULE

Respondents' answer to Complaint Counsel's Motion for Summary Decisions is due today. Respondents counsel, however, are located in New Orleans and have advised that the power outages attributable to Hurricane Ida have made phone and internet service in New Orleans spotty and that it may not be possible to file their Opposition on time. Counsel state that the city may remain without power for some time. Pursuant to Commission Rule 3.22(d), 16 C.F.R. § 3.22(d), we have determined that good cause exists to extend the deadline for Respondents' submission. Accordingly,

IT IS HEREBY ORDERED that Respondents' filing in response to Complaint Counsel's Motion for Summary Decision shall be due on September 7, 2021.

By the Commission.