

Interlocutory Orders, Etc.

IN THE MATTER OF

HOMEADVISOR, INC.,

D/B/A

ANGI LEADS AND HOMEADVISOR POWERED BY ANGI

Docket No. 9407. Order, May 26, 2022

Order granting respondent's motion for an additional extension of time to oppose the motion for summary decision.

SECOND ORDER EXTENDING TIME TO OPPOSE MOTION FOR SUMMARY DECISION

On April 22, 2022, the Commission granted Respondent HomeAdvisor, Inc.'s motion to extend until May 27, 2022 the time for Respondent to oppose Complaint Counsel's motion for summary decision. Respondent sought that extension so that it could serve subpoenas on and take depositions of individuals who submitted declarations in support of Complaint Counsel's motion. See 16 C.F.R. § 3.24(a)(3). Respondent now seeks an additional 10-day extension. Respondent asserts that the limited availability of certain third-party witnesses and the timing of certain third-party declarants' document productions have resulted in depositions being scheduled up until just two days before the current deadline for their opposition. Respondent represents that Complaint Counsel, as a professional courtesy, do not oppose the requested extension.

Under Commission Rule 4.3(b), the Commission may for good cause shown extend any time limit prescribed in the Rules. 16 C.F.R. § 4.3(b). In light of the timing of Respondent's third-party discovery and the relatively short length of the requested extension, the Commission finds good cause to grant the extension to allow Respondent to complete its depositions and prepare its opposition.

Accordingly,

IT IS HEREBY ORDERED that Respondent's Unopposed Motion for Extension of Time to Oppose Motion for Summary Decision, filed May 23, 2022, is **GRANTED**. The deadline for submission of Respondent's opposition to Complaint Counsel's motion for summary decision shall be 5:00 pm EDT on June 6, 2022.

By the Commission.

Interlocutory Orders, Etc.

IN THE MATTER OF

**ALTRIA GROUP, INC.,
AND
JUUL LABS, INC.***Docket No. 9393. Order, May 27, 2022*

Order scheduling oral argument.

ORDER SCHEDULING ORAL ARGUMENT

Complaint Counsel have filed their Appeal Brief perfecting their appeal from the Initial Decision in this matter; Respondents have filed their Answering Brief; and [Complaint Counsel must file their Reply Brief on or before May 31, 2022] or [Complaint Counsel filed their Reply Brief on May 31, 2022]. Commission Rule 3.52(b)(2), 16 C.F.R. § 3.52(b)(2), provides that the Commission ordinarily will schedule an Oral Argument within fifteen days after the date on which the Reply Brief is filed. Commission Rule 3.51(a), 16 C.F.R. § 3.51(a), however, provides that the Commission may extend for good cause any of the time periods relating to an appeal from an Initial Decision. The briefing in this proceeding raises numerous issues and draws upon an extensive evidentiary record, and a new Member of the Commission has recently taken office. The Commission therefore has determined to conduct the Oral Argument in this matter on July 14, 2022, commencing at 1:00 pm EDT. The argument will be conducted virtually, by video conferencing. Pursuant to Rule 3.52(h), 16 C.F.R. § 3.52(h), public access to the argument, to the extent permitted by any *in camera* orders and for monitoring purposes only, will be provided via telephone or live web streaming.

Each side will be allotted forty-five minutes to present its argument. Complaint Counsel will have the opportunity to open the argument and may reserve time for rebuttal. If either side wishes to provide the Commission with a short written or electronic compilation of material to facilitate its presentation during the Oral Argument, any such compilation may contain only public information that is already in the record of the proceeding, and copies must be filed with the Secretary of the Commission and provided to opposing counsel no later than July 7, 2022, at 5:00 pm EDT.

By the Commission.