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the necessity of a subpoena, and its senior vice president of sales testified at length in an investigational hearing.

4. Although the Commission proceeded to a full hearing on the charges raised in its complaint against TRU, LEGO was never made a respondent, nor was any LEGO representative called to testify as a trial witness.

5. Nonetheless, to LEGO's complete surprise, when the ALJ issued his



that of the ALJ to conclude that the ALJ's findings do not support the legal conclusion stated in Finding 334.

10. Granting LEGO the relief that it seeks in this motion will not have any adverse impact on the Complaint Counsel's case in chief against TRU as Complaint

Dated: February 5, 1998

Respectfully submitted,

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