

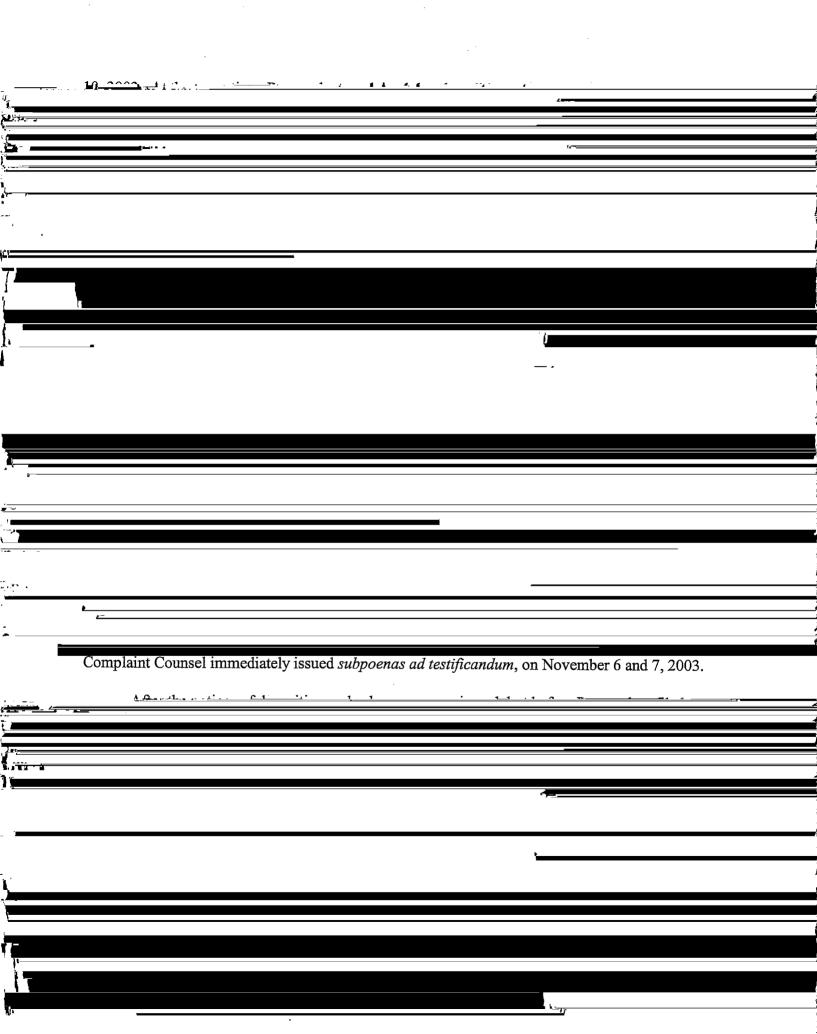
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that	discovery should be stayed until its contention interrogatories are answered. In fact, the	
7	discovery should be stayed until its contention interrogatories are answeren. In taking the	
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requ	lest stands the law on its head: rather than preceding fact discovery, contention interrogatories	
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. •	As reflected in the cases cited in notes 5 and 6 above, Respondent's position that it is
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	proceed with depositions is untenable. ⁷ Respondent already possesses a trove of information
	proceed with depositions is untenable. Respondent arready possesses a trove of information
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the initial disclosures required by the Rules of Practice, and Respondent did not object to the completeness of those disclosures.

	B. The Court should not stay Complaint Counsel's depositions pending
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	Order.
	Purculant to this Court's Protective Order Covering Discourse It is a second of the se
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	2003 ("Protective Order"), Complaint Counsel is not yet permitted to produce the third party

	not at liberty, to produce such documents at present but intends to do se as aviolatives accepted.
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	explained to Respondent on numerous occasions.
	The Court's scheduling order permits fact discovery at the present time. It does not
	2222 Source State points fact discovery at the present time. It does not
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	prior to the deposition of Dr. J. McCallum, or November 21, 2003. Until Complaint Counsel and
	Respondent reach impasse, if at all, there is no issue that requires the intervention of the Court at
, <u>) </u>	
	Conclusion
	Respondent has not met its burden of demonstrating good cause and reasonableness for
<u>-ي. بم</u>	this Court to grant a motion to stay discovery pending response to contention interrogatories and
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41	Fig. 5 to 10.
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CERTIFICATE OF SERVICE

I, Christine Rose, hereby certify that on 13 November 2003, I caused a copy of Complaint Counsel's Opposition to Respondent's Expedited Motion for a Protective Order and to Stay

*

Federal Trade Commission Room H-159 600 Pennsylvania Avenue, NW Washington, D.C. 20580

Hon. D. Michael Chappell Administrative Law Judge Federal Trade Commission

Attachment A

LEXSEE 1981 FTC LEXIS 110

In the Matter of FLOWERS INDUSTRIES, INC., a corporation

DOCKET NO. 9148

Federal Trade Commission

1981 FTC LEXIS 110

ORDER COMPELLING ANSWERS TO INTERROGATORIES

October 7, 1981

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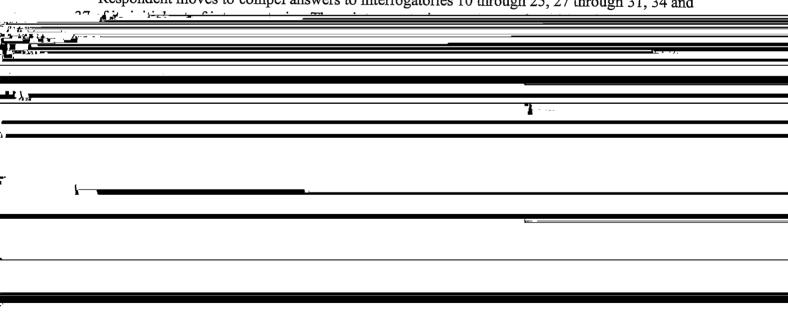
ALJ: [*1]

James P. Timony, Administrative Law Judge

ORDER:

ORDER COMPELLING ANSWERS TO INTERROGATORIES

Respondent moves to compel answers to interrogatories 10 through 25, 27 through 31, 34 and



order at the time of the meeting, I would probably compel answers without further consideration. [*2]

In opposing the interrogatories, complaint counsel argue that they have already provided respondent with a great deal of discovery; that respondent is in the industry and already has the requisite knowledge; that respondent's counsel are learned and do not really need a further

requisite knowledge; that respondent's cour	asel are learned and do no	t really need a further	
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