

[REDACTED]

2004 Mr. Eldred represented that he opposed Complaint Counsel's motion to stay and for an

enlargement of time.

4. Good cause exists to justify the stay of Complaint Counsel's response to certain portions of Respondent's Motion. Document requests 6,7, 27, and 29 relate to Respondents' alleged defenses and the pending *Motion to Strike*. Specifically Respondent seeks to compel a

response to request 6 which seeks "all expert reports" filed in administrative or Section 13(b) proceedings, and to request 7 which seeks "all depositions taken of Federal Trade Commission substantiation experts in any weight loss cases." Respondent also seeks to compel a response to

completed their privilege log, and traveled across the country to meet with experts in anticipation of providing expert witness reports. In addition, Complainant Counsel was diligent in providing

responses to Respondents' numerous interrogatories and requests for admissions (approximately

59 in all) and engaging in their own affirmative discovery, both with respect to Defendant's 1

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of October, 2004, I caused *Complaint Counsel's Opposed Motion to Stay Response to Depts. of Defendant's Second Motion to Compel*

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

BASIC RESEARCH, L.L.C.,
A.G. WATERHOUSE, L.L.C.,
KLEIN-BECKER USA, L.L.C.,
NUTRASPORT, L.L.C.,
SOVAGE DERMALOGIC
LABORATORIES, L.L.C.,
BAN, L.L.C.,
DENNIS GAY,
DANIEL B. MOWREY, and
MITCHELL K. FRIEDLANDER,

Respondents.

Docket No. 9318

PUBLIC DOCUMENT

TO: The Honorable Stephen J. McGuire
Chief Administrative Law Judge

ORDER ON OPPOSED MOTION TO STAY AND FOR EXTENSION OF TIME

THIS CAUSE came before the Administrative Law Judge on Complaint Counsel's
~~Original Motion for Stay and for Extension of Time to Respond to Basic Research's Second~~