1
1
1
1 Docket No. 9318
1
1 PUBLIC DOCUMENT
1
1
1
1
1

COMPLAINT COUNSEL'S MEMORANDUM IN OPPOSITION TO BASIC RESEARCH LLC'S MOTION TO COMPEL

Complaint Counsel opposes Respondent Basic Research, LLC's Motion To Compel ("Third Motion"). With its Third Motion, Basic Research seeks an Order compelling Complaint Counsel to "provide answers or clearer answers" to 1) requests that seek information on a) matters not relevant to the pending proceedings and b) matters that the Court struck from the case, and 2) answers to a) questions of law and b) questions that Complaint Counsel has already answered. Respondents have failed to demonstrate that an Order compelling different answers is warranted. This Court should deny Respondent's motion.

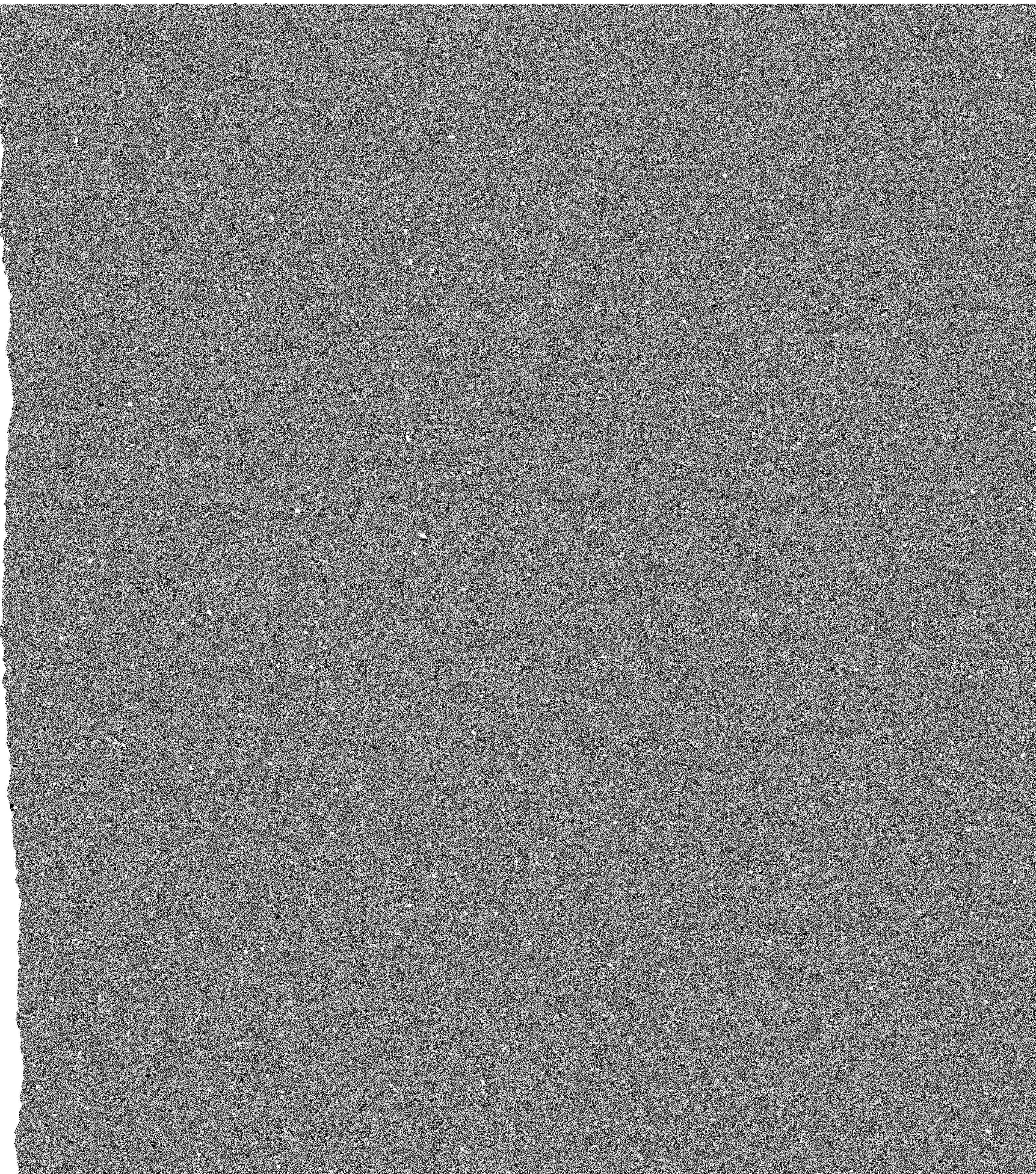
BACKGROUND

On June 15, 2004, the Commission filed a Complaint alleging, inter alia, that Basic Research and other related companies and individuals (collectively, "Respondents") marketed certain dietary supplements with unsubstantiated claims for fat loss and weight loss, and falsely represented that some of these products were clinically proven to be effective, in violation of

deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit

these requests because they sought an admission as to a matter of law, and also asserted

II.



UNITED STATES OF AMERICA

[illegible]

INTERROGATORY NO. 2 [Respondent's Interrogatory No. 1d]

[redacted]