

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS

Deborah Platt Majoras, Chairman

Thomas B. Leary
Pamela Jones Harbour
Jon Leibowitz

In the Matter of
NORTH TEXAS
SPECIALTY PHYSICIANS,
a corporation.

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) Docket No. 9312
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ORDER DENYING MOTION FOR LEAVE TO FILE BRIEF *AMICUS CURIAE*

The Voluntary Trade Council (VTC) has filed a motion for leave to file a brief *amicus curiae* in this matter, and has attached to that motion a copy of the brief it proposes to file. For the reasons set forth below, the Commission denies the motion.

On September 16, 2003, the Commission issued an administrative complaint against a

Respondent's position. Consequently, Complaint Counsel argues that VTC should have filed its Brief on January 14, 2005, the same day that Respondent was required to file its Appeal Brief. Complaint Counsel's Opposition at 1-2. Complaint Counsel do not object, however, to treating

month later.

VTC also relies on Rule 29 of the Federal Rules of Appellate Procedure to support its position. This argument is incorrect because the Federal Rules of Appellate Procedure are not applicable to the Commission.³

Accordingly,

IT IS ORDERED THAT the Motion of The Voluntary Trade Council for leave to file a brief *amicus curiae* be, and it hereby is, **DENIED**; and

IT IS FURTHER ORDERED THAT while the VTC Brief will not be placed in the adjudicative record of this proceeding, it will be treated as a part of the public records of the