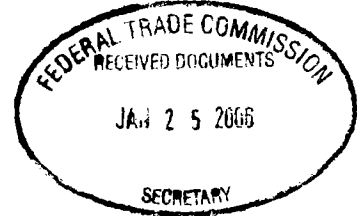


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of)

BASIC RESEARCH, LLC)
A.G. WATERHOUSE, LLC)
KLEIN-BECKER USA, LLC)
NUTRASPORT, LLC)
SOVAGE DERMALOGIC LABORATORIES, LLC)
BAN, LLC d/b/a BASIC RESEARCH, LLC)
OLD BASIC RESEARCH, LLC)



Doc# 0218

BASIC RESEARCH, A.G. WATERHOUSE,)
KLEIN-BECKER USA, NUTRA SPORT, and)
SOVAGE DERMALOGIC LABORATORIES)
DENNIS GAY)
DANIEL B. MOWREY d/b/a AMERICAN)
PHYTOTHERAPY RESEARCH LABORATORY, and)
MITCHELL K. FRIEDLANDER,)
Respondents.)

**ORDER ON RESPONDENTS' REVISED MOTION FOR *IN CAMERA* TREATMENT
OF DOCUMENTS LISTED ON PARTIES' EXHIBIT LISTS AND ON
JOINT MOTION FOR ENLARGEMENT OF TIME TO SUBMIT PRETRIAL BRIEFS**

I.

On January 17, 2006, Respondents filed a revised motion for *in camera* treatment of

proposed trial exhibits. Complaint Counsel's opposition has not been filed and is not yet due

II.

Respondents' revised motion for *in camera* treatment is their second attempt to comply with the Court's directives that Respondents must meet the Commission's strict requirements for *in camera* treatment of documents. Respondents have repeatedly been advised of the strict

standards to be applied to motions for *in camera* treatment. *E.g.*, Protective Order Governing

Respondents also sought *in camera* treatment for the reports of experts in this case. It is

in camera treatment. *In camera* treatment shall be sought for only those portions of the reports that meet the Commission's standard. *Aspen Tech.*, 2004 FTC LEXIS 56, at *5-6.

Similarly, Respondents sought *in camera* treatment for entire sets of answers to interrogatories. *In camera* treatment shall be sought for only those specific responses to interrogatories that meet the Commission's standard. *In re Union Oil Co. of Calif.*, 2004 FTC

significant insights into respondent's strengths and weaknesses. *Id.* "[D]ocuments should not be sealed simply because an applicant asserts that its competitors would like to possess the information the documents contain." *Bristol Myers Co.*, 90 F.T.C. at 455.

Attempts to shield settlement documents from disclosure have also been rejected by the

Commission stated, "[t]he Commission is not persuaded that disclosure of the identity of the assets that [respondent] proposed to divest in connection with a possible settlement would cause the kind of clearly defined and serious injury that would warrant retention of the Exhibit *in*

and directed to resolve their objections to exhibits. The parties were provided ample time to

accomplish this task. However, the same problems remain, and trial is now less than six weeks

away. The parties will have one final opportunity to reduce their exhibit lists to relevant and