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

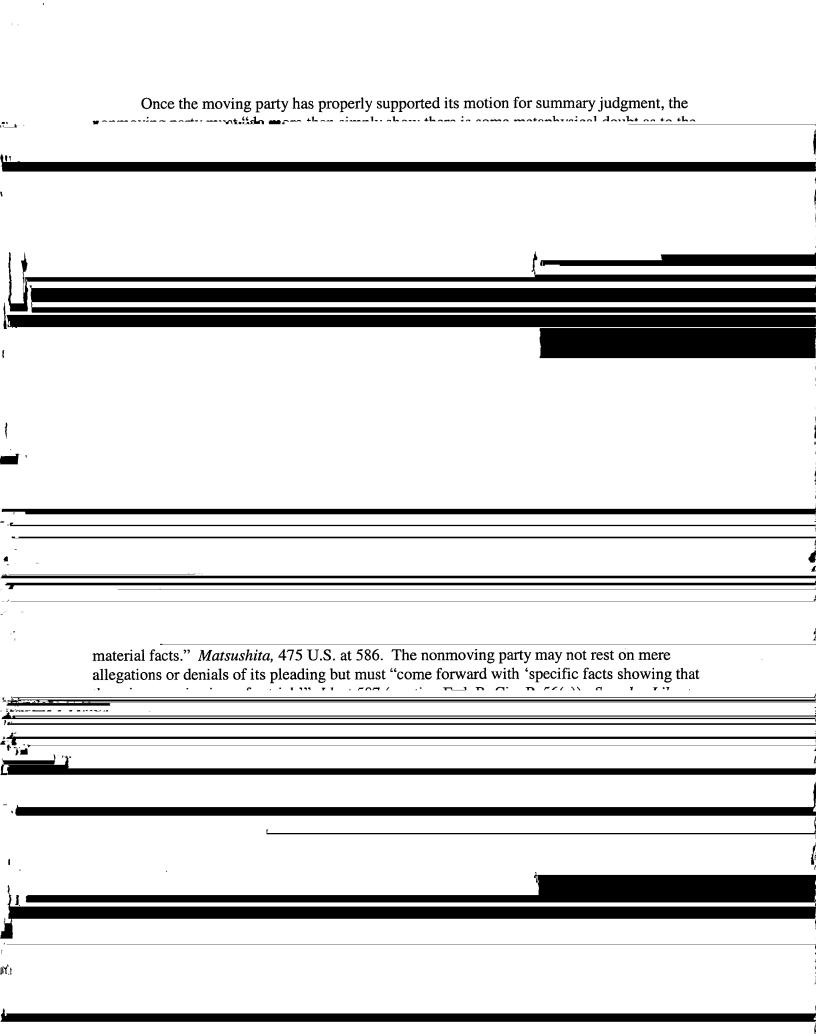


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In the Matter of))))	No. 9320
REALCOMP II LTD., Respondent.) Docket)	No. 9320
	ENYING RESPONDENT'S FOR SUMMARY DECISION	
I. PROCEDURAL BACKGRO	UND	
Monagan II td "Remonder	"Liled its Metion and Points of And	horitu fonDiomissol.
("Motion") on April 23, 2007. Althouge effectively seeks summary decision pur motion for summary decision. Compla for Provided ("Opposition") and its St.	suant to 16 C.F.R. § 3.24 and thus w	rill be treated as a espondent's Motion

hired as the exclusive agent of the home owner to find an interested buyer, "lists" the property on the MLS, and may provide a variety of services to the seller, including marketing the home, negotiating offers on the property, and assisting sellers with the "closing" of the transaction. Opposition at 2 (citing RX 154 at 8-9). Cooperating Brokers work with prospective buyers interested in purchasing a home, search the MLS on behalf of those buyers, and may provide a range of other services such as accompanying buyers during property visits and negotiating a 11 - O-- sition at 1 /aiting DV 154 at 0 97) Complaint Corneal fronts explains that cooperating brokers may be compensated by the buyer, but they are most often Prolance for finding a horizon who much sees the home

	certain websites (including Realtor.com) otherwise approved to receive information concerning		
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	and the force of the state of t	
	genuine issue of material fact which precludes summary decision in its favor. Opposition at 5.	
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)" <u></u>	With respect to Respondent's request for alternative relief, Complaint Counsel argues it should be denied. Opposition at 16-17.	
	IV. APPLICABLE STANDARD	
	P-mandant's placetime apoles "discoinsel of the complaint for failure to state a claim uran	
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	which relief can be granted." To the extent that it is appropriate to consider this motion as a	
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matter of law. Further, because there are material issues of fact in dispute, dismissal under the mation to dismiss atandard is also not appropriate. Descendant's mation is therefore DENIED. Alemantica Carried Land a DEMIED Commission Commission of the 1 1 1 1 1