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UNITED STATES OF AMERICA STREET & MEAN STOP TOP COMM

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In the Matter of

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REALCOMP II LTD.,

a corporation.

Docket No. 9320

Murrav Consulting. Inc.'s Motion for In Camera Treatment

I. Introduction 92

It is the understanding of third-party Murray Consulting, Inc. ("Murray Consulting") that a substantiate of the substantiate o

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II. Legal Standard

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contained [within the relevant document] is sufficiently secret and sufficient material to [its] husiness that disclosure would result in serious competitive injury." In re Volkswagen of America, Inc., 103 F.T.C. 536, 538 (1984) (internal citation omitted); see also In re H.P. Hood & description: disclosure would result in a clearly defined, serious injury to the person or corporation whose records are involved"). The secrecy and materiality of an applicant's documents are evaluated according to the standards articulated by the Commission in In re Bristol-Møyers Co: (1) the extent to which the information in In re Bristol-Møyers Co: (1) the extent of measures taken by him to guard the secrecy of the information; (4)	business that disclosure would result in serious competitive injury." In re Volkswagen of America, Inc., 103 F.T.C. 536, 538 (1984) (internal citation omitted); see also In re H.P. Hood & disclosure will result in a clearly defined, serious injury to the person or corporation whose records are involved"). The secrecy and materiality of an applicant's documents are evaluated according to the standards articulated by the Commission in In re Bristol-Meyers Co.: (1) the extent to which the information is known outside of his business; (2) the extent to which it is known by employees and others involved in his business; (2) the extent to which it is known by employees and others involved in his business; (2) the extent to which it is known by employees and others involved in his business; (2) the extent to which it is known by employees and others involved in his business; (2) the extent to which it is known by employees and others involved in his business; (2) the extent to which it is known by employees and others involved in his business; (2) the		A party seeking in camera treatment "must make a clear showing that the information
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Consulting provides consulting services to residential real estate brokerages, multiple listing services and associations of real estate professionals. (Murray Dec. ¶ 1.) A substantial portion of Murray Consulting's business activities are devoted to the preparation, production and sale of proprietary studies that analyze the residential real estate industry, such as the *Consumer Tsunami* study. (Murray Dec.¶ 1.)

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Murray Consulting invested significant amounts of time and money in producing the

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	product of Murray Consulting and cannot easily be duplicated by others. (Murray Dec. ¶ 10.)	142
	The Consumer Tsunami study is an important competitive advantage that Murray Consulting	-
	enjoys over its competitors, none of whom have performed or commissioned similar studies.	
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	was only released in August 2006, is fresh and would be of value to Murray Consulting's	Sector
	competitors. (Murray Dec. 🎢 8 - 9) See in re Amway Corp., Inc., 1977 FTC LEXIS 24, at * 7-8	
	(Nov. 11, 1977) (granting in camera status to studies less than two years old).	
	Murray Consulting has taken significant steps to protect the secrecy of the Consumer	A
	Tsunami study. As already discussed, access to the Consumer Tsunami study is restricted to	
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substantial expected revenue associated with the sale of	the study. (Mur	ray Dec. ¶ 5, 9	9.)	
Moreover, because Murray Consulting regularly produce	es studies like th	e Consumer Ts	unami	
and makes those studies available only for a fee, the pub	lic disclosure of	the Consumer	Tsunami	
study could adversely impact future sales of other studie	s if clients becom	me unwilling to	pay for	

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	These prospective pecuniary losses qualify as the "clearly defined, serious injury"	
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AP 7	<u>المحمد المحمد المحم</u>	
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III. Time Frame of Proposed In Camera Treatment

Murray Consulting hereby requests in camera treatment for the Consumer Tsunami study

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	Consulting who have purchased the study to keep its findings and analyses confidential will	
	expire. (Murray Dec. ¶ 8.) Until that time, however, Murray Consulting anticipates additional	
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CERTIFICATE

Pursuant to Paragraph 5 of the Scheduling Order, I hereby certify that I have conferred

with counsel for Realcomp II Ltd. and Complaint Counsel for the Federal Trade Commission.

- J an abiantion to the Mumor Consulting Inc 'e Motion for In Camera. זי J Treatment. Jany Murray Date: May 24, 2007 27 .⁴'

CERTIFICATE OF SERVICE

This is to certify that on May 24, 2007, I caused a copy of Murray Consulting, Inc.'s

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