
¹ In his Supplement to his response, Mr. Isely refers to 5 U.S.C. § 504(a)(2). That section prescribes the time within which a party must file with the agency its initial application for attorney’s fees, and that time period is triggered by the final disposition of the adversary adjudication. However, that section is irrelevant to the determination of the time within which a petitioner may seek court review of the agency’s denial of the initial application. The time for seeking such review is triggered by the agency’s determination. Here, the Commission reached that determination on February 11, 2011.

² In his Supplement to his response, Mr. Isely specifically cites Fed. R. App. P. 4. However, that rule applies only to appeals from district court decisions. Review of a final decision of an administrative agency is governed by Fed. R. App. P. 15, which states that such review must be sought “within the time prescribed by law.”

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