

ORIGINAL

PUBLIC

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



In the Matter of

ECM BioFilms, Inc.,
a corporation, also d/b/a
Enviroplastics International,
Respondent.

DOCKET NO. 9358

ORDER ON RESPONDENT'S MOTION FOR *IN CAMERA* TREATMENT

I.

Pursuant to Rule 3.45(b) of the Federal Trade Commission's ("FTC") Rules of Practice and the Scheduling Order entered in this matter, on July 9, 2014, Respondent ECM BioFilms, Inc. ("Respondent" or "ECM") filed a motion for *in camera* treatment for materials that the parties have listed on their exhibit lists as materials that might be introduced at trial in this

[REDACTED]

business; (3) the extent of measures taken by the institution; (4) the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

President and CEO of ECM BioFilms, Inc. (“Sinclair Affidavit”).

Complaint Counsel opposes Respondent’s Motion on grounds that Respondent: failed to meet and confer prior to filing the Motion; improperly attempted to assert the alleged confidentiality interests of third parties; failed to adequately support its requests; and improperly sought *in camera* treatment for entire documents, rather than selected portions.

In order to encourage discussion between the parties and minimize unnecessary motion practice, Additional Provision 4 of the Scheduling Order issued in this case requires that “[e]ach motion (other than a motion to dismiss or a motion for summary decision) shall be accompanied by a separate signed statement representing that counsel filed

[REDACTED]

