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Manufacturers would also stand to benefit if Luxottica's sales data was publicly disclosed, albeit in a different, but equally damaging way. Luxottica has contractual agreements with various contact lens manufacturers amongst its several retail brands, all of which contain confidentiality



be able to estimate industry-average cost/price increases for each year to arrive at fairly accurate and current sales data. Wessels Declaration at ¶7. Therefore, the competitive advantage for competitors and manufacturers is not likely to decrease over time and permanent *in camera* treatment is appropriate. In the alternative, if the Commission finds that permanent *in camera* treatment is not proper here, then Luxottica requests that *in camera* treatment be afforded to the Confidential Document for at least five years.

VI. Conclusion

For the reasons set forth above and in the accompanying Wessels Declaration, Luxottica

requests that the Commission grant *in camera* treatment for the Confidential Document

[REDACTED]

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

In the Matter of)

1-800 CONTACTS, INC.,)
a corporation,)

Respondent)

DOCKET NO. 9372

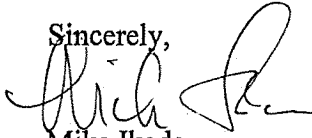
[PROPOSED] ORDER

Upon consideration of Luxottica Retail North America Inc.'s ("Luxottica") Motion for *in camera* Treatment, it is HEREBY ORDERED that the following document is provided permanent

EXHIBIT A



If you have any questions, please feel free to contact me at (202) 326-2160.

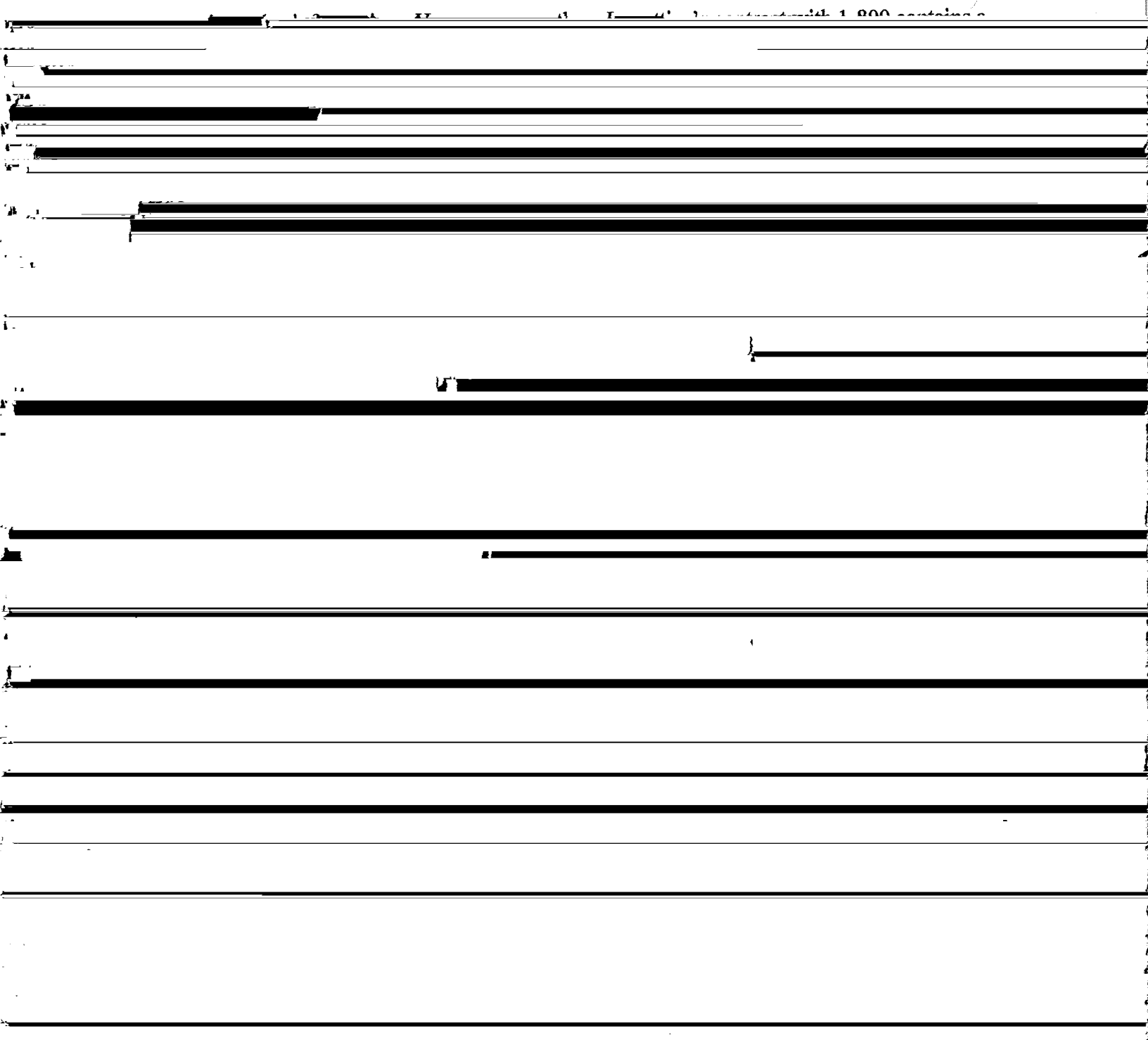
Sincerely,


Mika Ikeda
Counsel Supporting the Complaint

EXHIBIT A

EXHIBIT B

contact lens sales data is only accessible by a limited number of employees who need access to this data in the ordinary course of their duties. These employees work on the Contact Lens, Product Planning, Product Buying, Accounting, and IT teams. All other employees at Luxottica are not privy to this data and are strictly on a "need to know" basis. Outside of Luxottica, the sales data is only shared with its contact lens fulfillment provider, 1-800 Contacts, Inc. ("1-800"). All of Luxottica's contact lens orders are transmitted to 1-800 for fulfillment, which necessarily includes



competitors' products are sold by a given Luxottica retail brand, or could easily ascertain this information through store visits. By now learning the total sales of that location and knowing their own sales in that location, they can extrapolate this data into share data for their competing contact lens suppliers and that would put them in a stronger bargaining position when it would come time to

[REDACTED]

I declare under penalty of perjury that the foregoing is true and correct. Executed March 23,
2017 in Mason, Ohio.

A handwritten signature in black ink, appearing to read "Mitch Wessels", written over a horizontal line.

Mitch Wessels
Sr. Director, Contact Lenses

[REDACTED]

[REDACTED]

Confidential Document – Redacted in Entirety
Hearing Exhibit No. CX1817

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