

FEDERAL TRADE COMMISSION

In the Matter or f

Axon Featurinse, Inc.
a corporation,

and

Safariland, LLC,
a partnersh fine

Respondents

ORDER GRANTING COMPLAINT COUNCIL

I.

On July 13, 2020, Federal Trade Commission ("FTC" inptaint Counsel filed a Motion to Quash Notice of Deposition Issued Under Rule 3.33(c) ("Motion").

Respondent Axon Enter prise, Inc. ("Start Londont" or "Axon") ("Italy Italy Connection on July 23, 2020. For the reasons set forth bell low, the Motion is GRANTEL.")

II.

depose a Bureau or complete defense in this big case Copynhair Consection making and legal "assessments," in the TC's internal "decision-making" and legal "assessments," in the improperty seek information the seek infor

Respondent contends the deposition top the are designed to develop facts to support its Eighteenth Defense, set forth in Respondent's Amended Answer, which states to the Constitution, which requires equal protection of the laws, because the government seeks to enforce antitrust laws against other particles. When single to the courts in tederal district courts."

Pursuant to FTC Rule 3.33(c), a party maynotice a deposition naminasthe deponent any bureau of the deral Trade Commission, and describe with reasonable particularity the matters on which examination is requested. F.R. § 3.33(c)1). The organization so named shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which he or shewdifyt 16 C.F.R. § 3.33(c)1).

Pursuant to FTC Rule.31(c)(1), the permissible scope discovery is limited to information that may be reasonably expected to yield information relevant to the allegations of the complaint, to the proposed relieforthe defenses of any respondent. 16 C.F.R. §3.31(c)(1).

Notwithstanding the general scope of permissible discothery, ules require that G L V F R Y debuded & Elimited norder to preserve the privilege of a . . . governmental agency. . . ´16 C.F.R. § 3.31(c)(4).

The Rules further require that discovery be limited when the Administrative Law Judge determines that:

- (i) The discovery sought from a party or third party is unreasonably cumulative or duplicative, or is obtainable from some otherce that is more convenient, less burdensome, or less expensive;
- (ii) The party seeking discovery has had ample opportunity by discovery in the action to obtain the information sought; or
- (iii) The burden and expense of the proposed discovery ortyaqrahird party outweigh its likely benefit.

16 C.F.R. § 3.31(c)(2).

³\$ SDUW\VHHNLQJ WR TXDVK D VXESRHQD KDV WKH E discovery should be denieth re Polypore Int'l, Inc. 2008 FTC LEXIS 155, 2008 WL 4947490, at *6 (Nov. 14, 2008) (denying motion to quash subpate trestificandum ´In re Otto Bock HealthCare N. Am., In 2018 FTC LEXIS 48at *4 (Mar. 28, 2018).

IV.

Topics 1, 2 and 8

Thesetopics seek depositions temony on the following

1. The clearance process or other decisioarking used to determine whether the FTC or > ' H S D U W P H Q WDOR') wilk investigate a particular proposed

Based on the foregoing, as to topics 4	& R P S O D L Q W	&RXQVHO¶V	0 R W L
GRANTED.			

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ORDERED:

D. Michael Chappell