

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Joseph J. Simons, Chairman
Noah Joshua Phillips
Robert Popra
Rebecca Kelly Slaughter
Christine S. Wilson

In the Matter of

Axon Enterprise, Inc.,
a corporation,

and

Safariland, Inc.,
a corporation.

DOCKET NO. 9389

ORDER STAYING COMMENCEMENT OF EVIDENTIARY HEARING

On January 3, 2020, Respondent Axon Enterprise, Inc. ("Axon") filed a petition in the United States District Court for the District of Arizona seeking a declaration that Axon's acquisition of View, Inc. LLC was lawful and that the FTC's structure and administrative procedures are unconstitutional, and requesting injunctive relief against Commission adjudication of a challenge to the acquisition. On April 8, 2020, the district court dismissed Axon's petition due to a lack of subject matter jurisdiction. Axon appealed to the United States Court of Appeals for the Ninth Circuit. That appeal has now been fully briefed and argued.

On September 29, 2020, Axon filed an "Emergency Motion to Stay Administrative Trial" with the Ninth Circuit, asking the court to temporarily stay the evidentiary hearing scheduled before this Commission pending consideration of Axon's appeal. On October 2, 2020, the Ninth Circuit granted Axon's motion. Accordingly:

IT IS HEREBY ORDERED that the evidentiary hearing in this proceeding, scheduled to commence on October 13, 2020, is stayed until further order of the U.S. Court of Appeals for the Ninth Circuit.

By the Commission:


April J. Tabor
Acting Secretary

SEAL:

