

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA

Federal Trade Commission,

Petitioner,

v.

Retail Services & Systems, Inc. d/b/a Total Wine  
& More,

Respondent.

Case No. \_\_\_\_\_

**[PROPOSED] ORDER**

Pursuant to Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1, and Federal Rule of Civil Procedure 81(a)(5), Petitioner, the Federal Trade Commission (“FTC” or “Commission”), has invoked the aid of this Court for an order requiring Respondent Retail Services & Systems, Inc. d/b/a Total Wine & More (“Total Wine”) to comply with a civil investigative demand issued by the Commission in the course of a law enforcement investigation (FTC File No. 211-0155).

The Court has considered the Commission’s Petition for a Show Cause Hearing and an Order Enforcing Civil Investigative Demand (“Petition”) and the papers filed in support thereof, and the Commission has shown good cause for entry of this Order.

Accordingly, it is ORDERED that Respondent Total Wine appear at \_\_\_\_\_ a.m. on \_\_\_\_\_, 2023, in Courtroom No. \_\_\_\_ of the Albert V. Bryan U.S. Courthouse, 401 Courthouse Square, Alexandria, VA 22314 and show cause why this Court should not grant the Commission’s Petition and enter an Order enforcing the civil investigative demand issued to Total Wine and directing it to produce, within twenty (20) days of the date of the Order:

- a. Documents responsive to Specifications 3, 6, 12-13, and 15-16 from the files of Total Wine employees Thomas Trone, Travis Smit

- b. Total Wine shall produce, within twenty (20) days of receipt of such notice, all documents responsive to Specifications 3, 6, 12-13, and 15-16 from the files of such custodians, identified using the seven keyword searches listed in Appendix A to the Commission's Petition.

It is further ORDERED that Total Wine shall file any opposition to the Petition within fourteen (14) days after the entry of this Order, by \_\_\_\_\_, 2023; and

The Commission shall file any reply in further support of the Petition within seven (7) days after the filing of any opposition, by \_\_\_\_\_, 2023.

It is further ORDERED, pursuant to Federal Rules of Civil Procedure 26(a)(1)(B)(v) and 81(a)(5), that this is a summary proceeding and that no party shall be entitled to discovery without further order of the Court upon a specific showing of need.

It is further ORDERED, pursuant to Federal Rule of Civil Procedure 81(a)(5), that a copy of this Order and of the Petition and its supporting papers be served by the Commission on Total Wine or its counsel using as expeditious means as practicable.

SO ORDERED: \_\_\_\_\_