



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION

In the Matter of )  
)  
POM WONDERFUL LLC and )  
ROLL INTERNATIONAL CORP., )  
companies, and )  
)  
STEWART A. RESNICK, )  
LYNDA RAE RESNICK, and )  
MATTHEW TUPPER, individually and )  
as officers of the companies. )

Docket No. 9344  
PUBLIC

**NOTICE OF WITHDRAWAL OF MOTION TO EXCEED FIVE (5) EXPERT LIMIT**

Respondents hereby withdraw their Motion to Exceed Five (5) Expert Limit, which was filed with the Court on January 28, 2011. Respondents withdraw the Motion in order to file a new motion on this issue, which will specifically address the testimony of each witness listed on Respondents' Expert Witness List, which was filed with the Court on February 1, 2011. Respondents' Motion will further demonstrate that good cause exists for extending the expert limit in this case and that the testimony proffered by Respondents' experts is essential to fully address the myriad of topics and allegations that Complainant has put at issue in this case.

Respectfully Submitted,

/s Kris Diaz

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*Counsel for Respondents*

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION**

COMMISSIONERS:     Jon Leibowitz, Chairman  
                          William E. Kovacic  
                          J. Thomas Rosch  
                          Edith Ramirez  
                          Julie Brill

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MATTHEW TUPPER, individually and	)	
as officers of the companies.	)	

**CERTIFICATE OF SERVICE**

I hereby certify that this is a true and correct copy of Respondents' **NOTICE OF WITHDRAWAL OF MOTION TO EXCEED FIVE (5) EXPERT LIMIT**, and that on this 9th day of February, 2011, I caused the foregoing to be served by hand delivery and e-mail on the following:

The Honorable D. Michael Chappell  
Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
H-113  
Washington, DC 20580

Donald S. Clark  
The Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
H-135  
Washington, DC 20580

I hereby certify that this is a true and correct copy of Respondents' **NOTICE OF WITHDRAWAL OF MOTION TO EXCEED FIVE (5) EXPERT LIMIT**, and that on this 9th day of February, 2011, I caused the foregoing to be served by e-mail on the following:

Mary Engle  
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Dated: February 9, 2011