

ORIGINAL

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION



In the Matter of	)	
	)	
POM WONDERFUL LLC and	)	
ROLL INTERNATIONAL CORP.,	)	
companies, and	)	Docket No. 9344
	)	
STEWART A. RESNICK,	)	Public Document
LYNDA RAE RESNICK, and	)	
MATTHEW TUPPER, individually and	)	
as officers of the companies.	)	

**JOINT MOTION FOR SCHEDULING NECESSARY MOTIONS TO COMPEL**

Complainant and Respondents POM Wonderful LLC, Roll International Corp., Stewart Resnick, Lynda Resnick, and Matthew Tupper, (collectively "Respondents"), by their undersigned counsel, respectfully request that the Court permit them to file any necessary motions to compel written discovery due prior to the February 18, 2011 deadline outlined in the Scheduling Order by February 25, 2011, a week after the February 18 deadline.

Good cause exists for this motion because Complainant and Respondents are still working through various written discovery issues and expect to be able to resolve the issues among themselves without the Court's assistance. However, should Complainant and Respondents not be able to resolve the outstanding written discovery issues, they request that the Court permit them to file motions to compel on or before February 25, 2011.

\* \* \*

Respectfully Submitted,

s/ Mary Johnson  
Mary L. Johnson  
*Complaint Counsel*

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*Counsel for Respondents Stewart Resnick  
and Lynda Rae Resnick*

**STATEMENT OF PARTIES REGARDING MEET AND CONFER**

On February 16, 2011, at approximately 5:30 p.m. (Eastern), Complaint Counsel (Mary Johnson and Serena Viswanathan) and Respondents' Counsel (Johnny Traboulsi, Alicia Mew, and Skye Perryman) discussed by conference call outstanding written discovery requests, specifically interrogatories and document requests.

The parties (Mary Johnson, Serena Viswanathan, and Elizabeth Nach, for Complainant and Johnny Traboulsi, Skye Perryman, Christopher Ranson, and Dwayne Alexander, for Respondents) continued discussions by conference call on February 17, 2011 at approximately 4:30 p.m. (Eastern). The parties (Mary Johnson, Serena Viswanathan, and Elizabeth Nach, for Complainant and Skye Perryman and Johnny Traboulsi, for Respondents) continued their discussion on February 18, 2011 at approximately 10:30 a.m. (Eastern). At that time, the parties agreed to seek leave of Court to permit them to file any necessary motions to compel on written discovery issues by February 25, 2011, one week after close of discovery.

Respectfully Submitted,

s/ Mary Johnson  
Mary L. Johnson  
*Complaint Counsel*

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*Counsel for Respondents Stewart Resnick  
and Lynda Rae Resnick*

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION**

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

**Draft Proposed Order**

On February 18, 2011, the parties jointly moved this Court to permit motions to compel regarding written discovery due prior to February 18, 2011 to be filed on or before February 25, 2011. The requested relief is GRANTED and all motions to compel regarding written discovery due prior to February 18, 2011 shall be filed with the Court no later than February 25, 2011.

ORDERED

Dated:

\_\_\_\_\_  
Honorable D. Michael Chappell  
Administrative Law Judge

**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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**CERTIFICATE OF SERVICE**

I hereby certify that this is a true and correct copy of the Parties' **JOINT MOTION FOR SCHEDULING NECESSARY MOTIONS TO COMPEL**, and that on this 18th day of February, 2011, I caused the foregoing to be served by FTC E-File and hand delivery on the following:

Donald S. Clark  
The Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Rm. H-159  
Washington, DC 20580

The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Rm. H-110  
Washington, DC 20580



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*Counsel for Respondents Stewart Resnick  
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Dated: February 18, 2011