UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of Jerk, LLC, a limited liability company, also d/b/a/ JERK.COM, and John Fanning, individually and as a member of Jerk, LLC, Respondents.

DOCKET NO. 9361

04 29 2015

577260

SECRETARY

ORIGINAL

RESPONDENT JERK, LLC'S MOTION TO JOIN RESPONDENT JOHN FANNING'S MOTION TO STAY ORDER

Now comes Respondent Jerk, LLC ("Jerk"), through counsel, and moves to join in Respondent John Fanning's Motion to Stay Order Pending Review by the United States Court of Appeals for the First Circuit. In support thereof, Respondent Jerk, LLC states that it intends to file a Notice of Appeal from the Commission's Order in the First Circuit on April 30, 2015. Jerk additionally states that the analysis set forth in Fanning's Motion leads to the same conclusion with regard to Jerk, and Jerk therefore adopts and incorporates all arguments set forth therein.

JERK, LLC,

By its Attorney,

<u>/s/ Alexandria B. Lynn</u> Alexandria B. Lynn 48 Dartmouth Street Watertown, MA 02472 (617) 631-8781

Dated: April 29, 2015

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2015, I caused to be served true and accurate copies of *Respondent Jerk, LLC's Motion to Join Respondent John Fanning's Motion to Stay Order* as follows:

To the Office of the Secretary:

Donald S. Clark, Secretary Federal Trade Commission 600 Pennsylvania Ave., N.W., Room H-159 Washington, DC 20580 Email: secretary@ftc.gov

Complaint Counsel:

Sarah Schroeder Yan Fang Federal Trade Commission 901 Market Street, Suite 670 San Francisco, CA 94103 Email: sschroeder@ftc.gov; yfang@ftc.gov

Counsel for John Fanning:

Peter F. Carr, II ECKERT, SEAMANS, CHERIN & MELLOTT, LLC Two International Place, 16th Floor Boston, MA 02110 Email: pcarr@eckertseamans.com

/s/ Alexandria B. Lynn

Dated: April 29, 2015

Notice of Electronic Service

I hereby certify that on April 29, 2015, I filed via hand a paper original and electronic copy of the foregoing Motion to Join Fanning's Motion to Stay Order, with:

D. Michael Chappell Chief Administrative Law Judge 600 Pennsylvania Ave., NW Suite 110 Washington, DC, 20580

Donald Clark 600 Pennsylvania Ave., NW Suite 172 Washington, DC, 20580

I hereby certify that on April 29, 2015, I filed via E-Service of the foregoing Motion to Join Fanning's Motion to Stay Order, with:

Sarah Schroeder Attorney Federal Trade Commission sschroeder@ftc.gov Complaint

Yan Fang Attorney Federal Trade Commission yfang@ftc.gov Complaint

Kerry O'Brien Attorney Federal Trade Commission kobrien@ftc.gov Complaint

Maria Speth Attorney Jaburg & Wilk, P.C. mcs@jaburgwilk.com Respondent

Boris Yankilovich Attorney Federal Trade Commission byankilovich@ftc.gov Complaint

Kenneth H. Abbe Attorney Federal Trade Commission kabbe@ftc.gov Complaint

I hereby certify that on April 29, 2015, I filed via other means, as provided in 4.4(b) of the foregoing Motion to Join Fanning's Motion to Stay Order, with:

Peter Carr Attorney Eckert Seamans Cherin & Mellott, LLC pcarr@ecertseamans.com Respondent

> Alexandria Lynn Attorney