

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

In the Matter of	)	
	)	
Traffic Jam Events, LLC,	)	
a limited liability company,	)	Docket No. 9395
	)	
and	)	
	)	
David J. Jeansonne II, individually and as an	)	
officer of Traffic Jam Events, LLC,	)	
	)	
Respondents.	)	

**ORDER DENYING MOTION FOR STATUS CONFERENCE**

**I.**

On December 11, 2020, Respondents Traffic Jam Events, LLC (“TJE”) and David J. Jeansonne II (“Jeansonne”) (collectively, “Respondents”) filed a Motion to Set Status Conference (“Motion”). Federal Trade Commission (“FTC”) Complaint Counsel filed a response to the Motion on December 15, 2020 (“Response”). For the reasons set forth below, the Motion is DENIED.

**II.**

Respondents rely on FTC Rule 3.21(f), which provides that, in addition to an initial prehearing scheduling conference conducted soon after commencement of a case, “[t]he Administrative Law Judge shall hold additional prehearing and status conferences or enter additional orders as may be needed to ensure the just and expeditious disposition of the proceeding and to avoid unnecessary cost. . . .” 16 C.F.R. § 3.21(f). Respondents aver generally that they are unable to continue paying for defense counsel, and state their desire to discuss their counsel’s withdrawal, the status of discovery, and ongoing settlement discussions. Motion at 1-2. Respondents do not articulate why a status conference is needed in connection with these issues, or how a status conference would ensure any disposition of this proceeding.

Complaint Counsel responds that, regarding discovery, there remain numerous areas of dispute between the parties, including disclosure of experts, the scheduling of depositions, and Respondents' alleged involvement in blocking non-party discovery. Response at 1 and n.1. On the issue of settlement, Complaint Counsel asserts that a lack of sufficient discovery from Respondents and from non-parties is making settlement more difficult. Complaint Counsel further asserts that, on December 15, 2020, Complaint Counsel discussed the terms of a proposed consent order with Respondents and offered to send a proposal, but Respondents declined, stating that the parties would "never come to terms." Response at 2.

### III.

Based on the Motion and Response, there are numerous disputes between the parties. The record fails to demonstrate that, at the present time, a conference with the Administrative Law Judge would be constructive in resolving those disputes, or, as contemplated by Rule 3.21(f), would "ensure the just and expeditious disposition of the proceeding." 16 C.F.R § 3.21(f). Accordingly, the Motion is DENIED.

Notwithstanding the foregoing, the parties are encouraged to work together, diligently and in good faith, to resolve their disputes and continue settlement discussions. Should the settlement discussions proceed to the point where both parties believe that the involvement of the Administrative Law Judge would materially advance resolution, they may file a joint motion for a settlement conference under Rule 3.25(a).

ORDERED:



D. Michael Chappell  
Chief Administrative Law Judge

Date: December 17, 2020