UNITED STATES OF AMERICA THE FEDERAL TRADE COMMISSION

In the Matter of

POM WONDERFUL LLC and ROLL INTERNATIONAL CORP., companies, and

MATTHEW TUPPER, individually and

STEWART A. RESNICK,

LYNDA RAE RESNICK, and

as officers of the companies.

Docket No. 9344

Public Record



ORIGINAL

<u>COMPLAINT COUNSEL'S NOTICE OF WITHDRAWAL OF ITS</u> <u>MOTION TO ENFORCE SUBPOENAS AGAINST</u> <u>THE RESNICK FAMILY FOUNDATION, INC. AND</u> THE STEWART AND LYNDA RESNICK REVOCABLE TRUST

Complaint Counsel hereby withdraws, without prejudice, its Motion to Enforce

Subpoenas Against the Resnick Family Foundation, Inc. and the Stewart and Lynda Resnick

Revocable Trust dated January 10, 2011.

Dated: February 8, 2011

Respectfully Submitted,

Mary K. Johnson Federal Trade Commission Bureau of Consumer Protection 600 Pennsylvania Avenue, NW Room NJ-3212 Washington, DC 20580 Telephone: (202) 326-3115 Facsimile: (202) 326-3259 Email: mjohnson1@ftc.gov

CERTIFICATE OF SERVICE

I certify that on February 8, 2011, I caused to be filed and served Complaint Counsel's Notice of Withdrawal of Its Motion to Enforce Subpoenas Against the Resnick Family Foundation, Inc. and the Stewart and Lynda Resnick Revocable Trust upon the following as set forth below:

One original and two copies via hand delivery, and one electronic copy via the e-filing system, to:

Donald S. Clark, Secretary Federal Trade Commission 600 Pennsylvania Ave., N.W., Room H-159 Washington, DC 20580

One paper copy via hand delivery and one electronic copy via email to:

The Honorable D. Michael Chappell Administrative Law Judge 600 Pennsylvania Ave., N.W., Room H-110 Washington, DC 20580 Email: oalj@ftc.gov

One electronic copy via email to:

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Attorneys for Respondents

Date: February 8, 2011

Bv: L. Johnson Complaint Gounsel

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