

and times, within days of August 26, 2024, in a separate filing that accompanies their reply filings.

- E. In addition to filing with the FTC Office of the Secretary, the parties shall provide courtesy copies of their filings to the Office of Administrative Law Judges (“OALJ”), electronically by email (OALJ@ftc.gov). In addition, a hard copy shall be delivered by hand or by overnight mail to Judge Himes, addressed as follows:

Jay L. Himes
17 State Street, 40th Floor
New York, NY 10004

- F. The electronic files shall be provided in both MS-Word (.doc/.docx) format, using Times New Roman 12 point font, and in .pdf format.
- G. Hard copies shall be printed double-sided and shall be spiral bound or coil bound. Velo binding or comb binding shall not be used.
- H. On or before July 19, 2024, the parties shall provide to OALJ an electronic set of all exhibits admitted into the record at the evidentiary hearing, with designated Joint Exhibit (JX) or other applicable exhibit identifier shown on the face of each exhibit. Each electronic exhibit file shall also be named with the corresponding exhibit number. A hard copy version of all admitted exhibits shall also be sent to the ALJ at the address above.
- I. The following requirements apply to all post-trial filings and shall be strictly followed:
1. All proposed findings of fact shall be supported by specific references to the evidentiary record.
 2. All legal contentions shall be supported by applicable authority.
 3. All factual assertions made in a party’s brief shall cite to a corresponding proposed finding of fact. Citations to individual documents or items of testimony that do not also reference a corresponding proposed finding of fact may be disregarded.
 4. When citing to exhibits, the parties shall identify the document by its JX number or other applicable exhibit identifier, followed by the relevant page for multi-page documents and (where used in the document) the relevant paragraph number. An example of the format that shall be used is: JX 5 at 32.
 5. When citing to testimony given in the arbitration (JX 1), or in the evidentiary hearing (“Tr.”), the parties shall also identify that testimony by the witness’ last name. Examples of the format that shall be used are: JX 1 at 45-46 (Doe) and Tr. 45-46 (Doe).

6. Do not use “*Id.*” as a cite in proposed findings of fact or reply findings of fact.
7. Do not cite to more than one copy of the same document (*i.e.*, if JX 2 at 100 and JX 5 at 2 are identical copies of the same document, cite to only one exhibit number).
8. Reply briefs shall be limited to refuting issues raised by the opposing side and should not be used merely to bolster assertions or arguments made in an opening brief.
9. Reply briefs shall reply to the arguments in the same order as the arguments were presented by the opposing party in its opening brief.
10. Reply findings of fact shall set forth the opposing party’s proposed finding of fact in single space and then set forth the reply in double space.
 - a. Reply findings of fact shall be numbered to correspond to the opposing party’s finding that the reply finding is refuting and shall use the same outline headings used by the opposing party in its opening proposed findings of fact.
 - b. If you have no specific response to, or do not disagree with, the opposing party’s proposed finding of fact, set forth the opposing party’s proposed finding of fact and then state that you have no specific response or do not disagree.
 - c. The opposing party’s findings of fact shall not be included in the word count applicable to reply findings of fact.
 - d. Reply findings of fact should be used only to directly contradict or otherwise refute the other side’s proposed findings of fact. They should not be used merely to restate the proposition in language that is believed to be more favorable to your position.

ORDERED:

Jay L. Himes
Jay L. Himes
Administrative Law Judge

Date: July 17, 2024