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

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In the Matter of)
W. Bret Calhoun,)) Docket No. 9430
Appellant.)
)

ORDER GRANTING JOINT MOTION FOR CONTINUANCE

On August 20, 2024, the parties filed a joint motion seeking a continuance of the evidentiary hearing date and remaining prehearing deadlines for at least thirty days ("Joint Motion"). Pursuant to the order issued on July 2, 2024 ("July 2 Order"), the evidentiary hearing is presently scheduled to begin on August 29, 2024. The July 2 Order also included certain additional prehearing deadlines, including: (1) August 22, 2024 for the Horseracing Integrity and Safety Authority ("Authority") to file a copy of the complete record developed below; (2) August 26, 2024 for the parties to exchange and file witness and exhibit lists; and (3) August 27, 2024 for the parties to file any stipulations as to facts, the admissibility of documents, and the expertise of any proposed expert witnesses.

In support of the Joint Motion, the parties state that they intend to engage in settlement negotiations, which could resolve the case and thereby conserve resources of the Federal Trade Commission. The parties further agree that no party will be prejudiced by the continuance.

Based on the foregoing, good cause exists to continue the evidentiary hearing date and related prehearing deadlines as requested by the parties. 16 C.F.R. § 4.3(b)(1) (permitting the Administrative Law Judge to "[e]xtend any time limit prescribed or allowed by order of the Administrative Law Judge . . ." for "good cause shown"). Accordingly, the Joint Motion is GRANTED, and it is hereby ORDERED that the dates in the July 2 Order are revised as follows:

- 1. The evidentiary hearing date in this matter shall commence remotely on September 30, 2024, at 9:30 a.m. Eastern, and shall continue on October 1, 2024, at 9:30 a.m. Eastern, if necessary.
- 2. The Authority shall file the complete record from the proceedings below no later than September 23, 2024.
- 3. The parties shall exchange and file witness and exhibit lists no later than September 25, 2024.

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4. The parties shall file any stipulations as to facts, the admissibility of documents, and the expertise of any proposed expert witnesses no later than September 26, 2024.

All other provisions of the July 2 Order remain in place.

ORDERED: Dania L. Ayoubi

Dania L. Ayoubi Administrative Law Judge

Date: August 23, 2024