



On February 5, 2016, Respondents filed a motion to stay the evidentiary hearing, without staying discovery or any other scheduling order deadlines, “until 60 days after entry of a ruling” on the Commission’s district court complaint for a preliminary injunction. Motion at 1, 5.<sup>1</sup> Complaint Counsel opposes the motion.

Commission Rule 3.41(f) provides, in relevant part, that a pending “collateral federal court action that relates to the administrative adjudication shall not stay the proceeding unless a court of competent jurisdiction, or the Commission for good cause, so directs.” 16 C.F.R. § 3.41(f) (2016). Respondents rest their motion to stay on the suggestion that the district court may not rule on the preliminary injunction request until after the administrative hearing begins on May 24. Respondents’ conjecture, however, is not a basis for delaying the administrative hearing. The preliminary injunction hearing is scheduled to begin on April 6, 2016, and is expected to last no more than six days. At this time, we see no conflict between the two proceedings or any other reason that would justify staying the administrative hearing. Furthermore, as reflected in the Commission’s rules, the Commission has made a commitment to move forward as expeditiously as possible with administrative hearings on the merits. We therefore find that no good cause exists to grant Respondents’ motion to stay.

Accordingly, **IT IS HEREBY ORDERED** that Respondents’ February 5, 2016 Motion To Stay the Administrative Hearing is hereby **denied** without prejudice.

By the Commission.

Donald S. Clark  
Secretary

SEAL:  
ISSUED: March 18, 2016

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<sup>1</sup> On February 24, 2016, Respondents sought leave to file a Reply, which the Commission grants.