

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



In the Matter of

Louisiana Real Estate Appraisers Board,
Respondent

Docket No. 17-0374

**COMPLAINT COUNSEL'S OPPOSITION TO RESPONDENT'S MOTION FOR A
CONFERENCE TO FACILITATE SETTLEMENT**

The Louisiana Real Estate Appraisers Board ("Respondent") seeks a conference with the Court to facilitate settlement negotiations. Complaint Counsel oppose the motion because both the motion and the proposed conference are premature.

As of today, Respondent and Complaint Counsel have not actually engaged in any substantive settlement negotiations. Rather, Complaint Counsel has shared multiple proposed consent orders with Respondent in an effort to reach a settlement. In reply, Respondent has suggested that Complaint Counsel should dismiss the case. Thus, no actual settlement discussions have taken place prior to Respondent seeking a conference with the Court. This failure to discuss Complaint Counsel's settlement proposal explains Complaint Counsel's opposition to Respondent's motion.

Complaint Counsel provided Respondent with a revised proposed consent order on Friday, September 22, 2017. Respondent has represented that it will comment on that proposal, but has not yet done so. Until we receive Respondent's comments, it is impossible for Complaint Counsel to assess whether the parties' settlement positions are such that the Court should

proceed with a settlement conference and, if so, to identify and address the specific issues that the Court and the parties should discuss.

Should the Court grant Respondent's motion for a conference, Complaint Counsel request that any submission by a party be limited to three pages, double-spaced. Shorter statements will require the parties to focus discussions on matters truly of significance.

CONCLUSION

A conference to facilitate settlement would be premature. The request should be denied. If the motion is granted, Complaint Counsel request that any submission be limited to three pages, double-spaced.

Dated: September 26, 2017

Respectfully submitted,

/s/ Sean P. Pugh
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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2017, I filed the foregoing document electronically using the FTC's E-Filing System and served the following via email:

Donald S. Clark
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The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
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I also certify that I delivered via electronic mail a copy of the foregoing document to:

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Counsel for Respondent Louisiana Real Estate Appraisers Board.

Dated: September 26, 2017

By: /s/ Lisa B. Kopchik
Lisa B. Kopchik, Attorney

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

Date: September 26, 2017

By: /s/ Lisa B. Kopchik
Lisa B. Kopchik, Attorney