UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

FEDERAL TRADE COMMISSION,

Petitioner,

v.

DELTRACON INC.,

Respondent.

Case 8:21-mc-00025-CJC (JDEx)

ORDER TO SHOW CAUSE

Petitioner, the Federal Trade Commission ("FTC" or "Commission"), under the authority conferred by Section 20 of the FTC Act, 15 U.S.C. § 57b-1 and Fed. R. Civ. P. 81(a)(5), has invoked the aid of this Court for an order requiring Respondent, Deltracon Inc. ("Respondent"), to comply with a civil investigative demand ("CID"), issued to it on January 8, 2021, in aid of an FTC law enforcement investigation.

The Court has considered the FTC's Petition to Enforce Civil Investigative Demand and the papers filed in support thereof, and it appears to the Court that Petitioner has shown good cause for the entry of this Order.

IT IS HEREBY ORDERED THAT the FTC shall properly serve this Order to Show Cause, the Petition, Memorandum of Law, and all Declarations and

Exhibits (Dkt. 1, 1-1 to 1-10) upon Respondent and file proof of such service by September 3, 2021.

If a proof of service reflecting proper service of Respondent is timely filed as set forth above, then **IT IS FURTHER ORDERED** that, by **September 23, 2021**, Respondent shall:

(1) produce forthwith to the Commission: (a) all non-privileged documents responsive to the Commission's January 8, 2021 CID; (b) a privilege log listing all responsive documents withheld based upon a claim of privilege; (c) narrative responses to all interrogatories in the January 8, 2021 CID; and (d) sworn certifications as to the completeness of the production and interrogatory response;

OR

(2) by **September 23, 2021**, file with the Court and serve (by hand or electronically via email) on counsel for the Commission its response to the Commission's petition. Any reply by the Commission to an opposition filed by Respondent shall be filed with the Court and served (by hand or electronically via email) on Respondent and/or its counsel. Such reply shall be filed and served no later than 7 days after service of Respondent's opposition.

IT IS FURTHER ORDERED that if Respondent files an opposition, Respondent and counsel for the FTC shall appear, unless a video or telephonic appearance is authorized by the Court, at 10:00 a.m. on October 14, 2021 in Courtroom 6A of the Ronald Reagan Federal Building and United States Courthouse, located at 411 West Fourth Street, Santa Ana, California and show cause, if any there be, why this Court should not enter an order, subject to the penalty of contempt, directing Respondent to comply with the Commission's January 8, 2021 CID. Unless the Court determines otherwise, notwithstanding the filing or pending of any procedural or other motions, all issues raised by the

petition and supporting papers, and any opposition to the petition will be considered at the hearing on the petition; and

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. P. 81(a)(5) and 26(a)(l)(B)(v), this is a summary proceeding and no party shall be entitled to discovery without further order of the Court upon a specific showing of need; and that the dates for a hearing and the filing of papers established by this Order shall not be altered without prior order of the Court upon good cause shown; and

IT IS FURTHER ORDERED that, if Respondent complies with the January 8, 2021 CID by September 23, 2021, Respondent shall, within 7 days of such compliance, file a Notice so stating and request that the action be closed.

DATED: August 25, 2021

JOHN D. EARLY
United States Magistrate Judge