

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
Washington, D.C.



COMMISSIONERS: Joseph Simons, Chairman
Rohit Chopra
Noah Phillips
Rebecca Slaughter
Christine Wilson

In the Matter of:

RagingWire Data Centers, Inc.,

a corporation.

DOCKET NO. 9386

**RESPONDENT RAGINGWIRE DATA CENTERS, LLC'S
EXPEDITED MOTION OF ADMINISTRATIVE HEARING**

Pursuant to Rule 3.41 of the Federal Trade Commission's Rules of Practice, Respondent RagingWire Data Centers, Inc. ("Respondent" or "RagingWire") respectfully requests that the administrative hearing currently scheduled to begin on July 7, 2020, regarding the Administrative Complaint, dated November 5, 2019 (the "Complaint") (Dkt. No. 9386), be postponed until or after the week of August 3, 2020. Complaint Counsel does not oppose this motion, including the proposed hearing date.

ARGUMENT

Respondent seeks expedited treatment because a delayed ruling could lead to wasted resources for Complaint Counsel and Respondent during their respective discovery and pre-trial

preparations. Lead counsel for Respondent will also suffer prejudice in that he will be left in limbo as to whether to cancel his already-planned family vacation over the July 4 weekend (or cancel his attendance at said vacation).

As alluded to above, Respondent requests this change in the hearing date because Corey Roush, lead counsel for Respondent, is scheduled to be absent on a planned family vacation the week immediately prior to the currently scheduled July 7, 2020 start of the administrative hearing. Good cause exists for granting this unopposed motion because it will ensure all parties are sufficiently prepared for the administrative hearing. Moreover, moving the hearing date to August 3, 2020 (or thereafter) gives Complaint Counsel and Respondent additional flexibility with regard to the deadlines set in the Scheduling Order.

Since there is no claim of ongoing deception or harm in this case, moving the start of the hearing will not have any impact on consumers or Respondent's customers. Counsel for Respondent has conferred with Complaint Counsel on this issue on November 21, November 22, and December 3, and Complaint Counsel does not object.

RELIEF REQUESTED

For the foregoing reasons, Respondent respectfully requests that the Federal Trade Commission exercise its discretion to postpone commencement of the administrative hearing in this matter until the week of August 3, 2020, or until such later date as may be convenient for the Commission or the Administrative Court.

Dated: December 3, 2019

Respectfully submitted,

/s/ Corey W. Roush

Corey W. Roush
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Counsel for Respondent

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**[PROPOSED] ORDER GRANTING RAGINGWIRE DATA CENTERS, LLC'S
EXPEDITED MOTION OF ADMINISTRATIVE HEARING**

Good cause having been shown,

IT IS HEREBY ORDERED THAT Respondent's Expedited Motion is **GRANTED** and:

1. Commencement of the administrative trial in this matter is moved from July 7, 2020, to August ____, 2020; and
2. All other deadlines and pre-trial proceedings should be adjusted accordingly.

By the Commission.

ISSUED: _____

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 3, 2019, a copy of the foregoing was electronically filed using the Commission's Electronic Filing System and was sent by that system and by certified mail to the following:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

I HEREBY CERTIFY that that a copy of the foregoing has been served upon all parties to this cause by electronic mail as follows:

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Counsel for Plaintiff Federal Trade Commission

Dated: December 3, 2019

By: /s/ Corey W. Roush

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