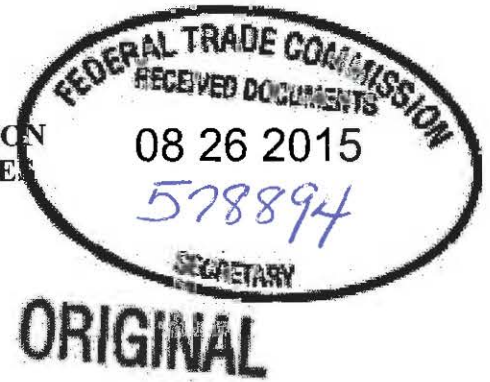


UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGE



\_\_\_\_\_)  
In the Matter of )  
 )  
 )  
LabMD, Inc., a corporation )  
Respondent. )  
\_\_\_\_\_)

**Public**

Docket No. 9357

**UNOPPOSED MOTION TO RESCHEDULE FINAL  
ARGUMENT FOR SEPTEMBER 16, 2015**

Respondent LabMD, Inc. ("LabMD") hereby files this unopposed motion to reschedule final argument, now scheduled for September 14, 2015, for September 16, 2015.

1. Pursuant to Pursuant to Rule 3.41(b)(6), closing arguments shall be no later than 5 days after the last filed post trial filings.
2. Pursuant to Rule 4.3(b), extensions to any time limit prescribed by the rules may be made for good cause shown.
3. Undersigned counsel for LabMD is unavailable to appear in Court on September 14, 2015, or September 15, 2015, due to the holiday of Rosh Hashana. Mr. Sherman will be delivering closing argument for LabMD. However, he and LabMD desire that undersigned counsel be present for the close.
4. This constitutes good cause for rescheduling final argument, which LabMD proposes be held on September 16, 2015, at the time and place currently designated for such argument, or at such other day and time as this Court may set.
5. Undersigned counsel has conferred with Complaint Counsel, who has graciously agreed not to oppose the relief sought in this motion, subject to the Court's availability.

WHEREFORE, LabMD respectfully requests that closing argument in this matter, currently scheduled for September 14, 2015, be rescheduled for the same time and place on September 16, 2015, or on such other date as may be convenient for this Court.

Dated: August 26, 2015

Respectfully submitted,

/S/ Reed D. Rubinstein  
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*Counsel for Respondent, LabMD*

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

_____ )	
In the Matter of )	<b>PUBLIC</b>
)	
LabMD, Inc., a corporation )	Docket No. 9357
Respondent. )	
_____ )	

**[Proposed] Order Granting Motion To Reschedule  
Final Argument For September, 16, 2015**

Upon consideration of the Motion To Reschedule Final Argument For September, 16, 2015, it is hereby:

ORDERED, that, for good cause shown, final argument in this case, currently scheduled for September 14, 2015, shall be held on September 16, 2015, at the time and place previously designated therefore.

\_\_\_\_\_  
D. Michael Chappell

Date:

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

_____ )	
In the Matter of )	<b>PUBLIC</b>
)	
LabMD, Inc., a corporation )	Docket No. 9357
Respondent. )	
_____ )	

**STATEMENT REGARDING MEET AND CONFER PURSUANT TO 16 C.F.R. § 3.22(g)  
AND ADDITIONAL PROVISION 4 OF THE SCHEDULING ORDER**

Respondent respectfully submits this Statement, pursuant to FTC Rule 3.22(g) and Additional Provision 4 of the Scheduling Order.

Prior to filing the above motion, Respondent (Reed D. Rubinstein) met and conferred with Complaint Counsel (Laura Van Druff) who does not oppose the motion.

Dated: August 26, 2015

Respectfully,

/s/ Reed D. Rubinstein  
Reed D. Rubinstein

**CERTIFICATE OF SERVICE**

I **hereby certify** that on August 26, 2015, I caused to be filed the foregoing document electronically through the Office of the Secretary's FTC E-filing system, which will send an electronic notification of such filing to the Office of the Secretary:

Donald S. Clark, Esq.  
Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, NW, Rm. H-113  
Washington, DC 20580

I **also certify** that I delivered via electronic mail a copy of the foregoing document to:

The Honorable D. Michael Chappell  
Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-110  
Washington, DC 20580

I **further certify** that I delivered via electronic mail a copy of the foregoing document to:

Alain Sheer, Esq.  
Laura Riposo VanDruff, Esq.  
Megan Cox, Esq.  
Ryan Mehm, Esq.  
John Krebs, Esq.  
Jarad Brown, Esq.  
Division of Privacy and Identity Protection  
Federal Trade Commission  
600 Pennsylvania Ave., NW  
Room CC-8232  
Washington, DC 20580

**CERTIFICATE OF 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.

Dated: August 26, 2015

By: /s/ Reed D. Rubinstein