

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

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|---------------------|---|-----------------|
| In the Matter of |) | |
| |) | |
| Altria Group, Inc., |) | |
| a corporation, |) | Docket No. 9393 |
| |) | |
| and |) | |
| |) | |
| JUUL Labs, Inc. |) | |
| a corporation, |) | |
| |) | |
| Respondents. |) | |

ORDER ON WAWA, INC.'S
SECOND MOTION FOR *IN CAMERA* TREATMENT

By Order issued May 26, 2021, the first motion for *in camera* treatment filed by non-party Wawa, Inc. (“Wawa”) was denied without prejudice (“May 26 Order”). Pursuant to that Order, Wawa filed a second motion for *in camera* treatment for materials that the parties have listed on their exhibit lists as materials that might be introduced at trial in this matter. No party opposes the motion. For the reasons set forth below, Wawa’s motion is GRANTED in part and DENIED in part.

The standards by which Wawa’s motion is evaluated are set forth in the May 26 Order. Wawa seeks indefinite *in camera* treatment for portions of the declaration from William Kloss. (PX8006/RX0012). Wawa supports its motion with a declaration from its category manager for tobacco and alcohol. The declaration provides additional details about the information Wawa seeks to protect. Wawa has narrowed the designated paragraphs it seeks to shield. However, Wawa has not demonstrated that the information it seeks to protect meets the standards for indefinite *in camera* treatment or for an extended period of ten years. Furthermore, some of the information Wawa seeks to protect does not meet the standards for *in camera* treatment. Accordingly, *in camera* treatment, for a period of five years, to expire June 1, 2026, is GRANTED only for the designated portions of paragraphs 5, 10, and 17 in PX8006/RX0012. With respect to the request for *in camera* treatment of paragraphs 4, 6, 8-9, 13-16, and 18-24 in PX8006/RX0012, Wawa’s motion is DENIED.

ORDERED: 
D. Michael Chappell
Chief Administrative Law Judge

Date: June 8, 2021