

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Lina M. Khan, Chair
Rebecca Kelly Slaughter
Christine S. Wilson
Alvaro M. Bedoya**

In the Matter of

**Meta Platforms, Inc.,
a corporation,**

**Mark Zuckerberg,
a natural person,**

and

**Within Unlimited, Inc.,
a corporation.**

DOCKET NO. 9411

**SUPPLEMENTAL ORDER EXTENDING DEADLINE TO RULE ON
RESPONDENT’S MOTION TO STAY**

On August 26, 2022, Respondent Meta Platforms, Inc. (“Meta”) filed a motion to stay this administrative proceeding until after a ruling in the United States District Court for the Northern District of California in *FTC v. Meta Platforms, Inc.*, No. 5:22-cv-04325-EJD on the Commission’s complaint seeking to preliminarily enjoin Meta from consummating its proposed acquisition of Within Unlimited, Inc. Respondent’s Motion to Stay this Administrative Proceeding (“Motion to Stay”) argued that good cause to stay this proceeding exists because, per Respondent, (1) the district court’s ruling on the preliminary injunction would likely obviate the need for the proceeding here, and (2) Meta has objected to Chair Khan’s participation in the proceeding based on alleged bias and prejudice, and a stay would “avoid any ongoing due process violations.” Motion to Stay at 3-4. Complaint Counsel opposed the Motion to Stay on September 6, 2022. Meta has also filed a Petition for Recusal, requesting that Chair Khan be recused from participating in any decisions concerning the Commission’s review of the proposed acquisition.

The deadline for the Commission’s ruling on the Motion to Stay is December 21, 2022. The Commission may extend that deadline for good cause. *See* 16 C.F.R. § 3.22(a); 16 C.F.R. § 4.3(b). As the Commission has previously determined, the Petition for Recusal should be

decided before the Motion to Stay. Order Extending Deadline to Rule on Respondent's Motion to Stay at 2 (Oct. 21, 2022). The Petition for Recusal is still pending. To give the Commission additional time to complete its consideration of the Petition for Recusal and then to fully consider the Motion to Stay, we find good cause to extend the deadline for a decision on the Motion to Stay until January 17, 2023.

Accordingly,

IT IS HEREBY ORDERED THAT the Commission's deadline to rule on Respondent's Motion to Stay this Administrative Proceeding is extended until January 17, 2023.

By the Commission, Commissioner Wilson dissenting and Chair Khan not participating.

April J. Tabor
Secretary

SEAL:
ISSUED: December 21, 2022