

**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

**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 prejudgment, 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. That Petition is still pending.

The deadline for the Commission to issue its decision on the Motion to Stay is October 21, 2022. *See* 16 C.F.R. § 3.22(a) (“Except as otherwise provided by an applicable rule, motions not referred to the Administrative Law Judge shall be ruled on by the Commission within 45 days of the filing of the last-filed answer or reply to the motion, if any, unless the Commission determines there is good cause to extend the deadline.”). The Motion to Stay should not be

decided until the Commission has decided the Petition for Recusal. The Petition for Recusal is still pending. To give the Commission time to fully consider the Petition for Recusal and then fully consider the Motion to Stay, we find good cause to extend the deadline for a decision on the Motion to Stay until November 30, 2022. *Id.*; *see also* 16 C.F.R. § 4.3(b) (“Except as otherwise provided by law, the Commission, for good cause shown, may extend any time limit prescribed by the rules in this chapter . . .”).

Accordingly,

IT IS HEREBY ORDERED THAT the Commission’s deadline to rule on Respondent’s Motion to Stay This Administrative Proceeding is extended until November 30, 2022.

By the Commission, Chair Khan not participating.

April J. Tabor
Secretary

SEAL:
ISSUED: October 21, 2022