

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

Case No. 13-CV-1021 (BJR)

ARDAGH GROUP, S.A.,  
COMPAGNIE DE SAINT-GOBAIN, and  
SAINT-GOBAIN CONTAINERS, INC.,

Defendants.

**MOTION FOR A STAY**

**IN LIGHT OF UNITED STATES GOVERNMENT CESSATION**

Plaintiff Federal Trade Commission (“FTC” or “Commission”) hereby moves for a stay of all proceedings in the above-captioned case.

1. At 11:59 p.m. on Monday, September 30, 2013, the continuing resolution that had been funding the FTC expired and appropriations to the Commission lapsed. The Commission does not know when funding will be restored by Congress.
2. Absent an appropriation, FTC attorneys are prohibited from working, even on a voluntary basis, “except for emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342. Accordingly, the Commission’s policy is to seek a stay of all pending litigation.
3. Undersigned counsel for the FTC therefore respectfully requests this Court stay all proceedings in this case matter until Congress has restored appropriations to the FTC.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Commission. The Commission requests that, at that point, the parties promptly meet and confer to propose new deadlines as appropriate based on the duration of the lapse in appropriations. If the Court denies the FTC's motion, the FTC will comply with the Court's order, which would constitute express legal authorization for the activity to continue.
5. Opposing counsel has authorized counsel for the FTC to state that the Defendants take no position on this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the FTC hereby moves for a stay of all proceedings until FTC attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted,

/s/ Edward D. Hassi\_\_\_\_\_

EDWARD D. HASSI  
Chief Litigation Counsel  
Federal Trade Commission  
Bureau of Competition  
600 Pennsylvania Ave., NW  
Washington, DC 20580  
Telephone: (202) 326-2470  
Facsimile: (202) 326-2884  
Email: ehassi@ftc.gov

Attorney for Plaintiff