

**General Docket
Court of Appeals, 2nd Circuit**

Court of Appeals Docket #: 18-3848 1-800 Contacts v. Federal Trade Commission Appeal From: Federal Trade Commission Fee Status: Paid	Docketed: 12/28/2018
Case Type Information: 1) Agency 2) Petition for Review 3) none	
Originating Court Information: District: FTC-1 : 9372 Date Decided: 11/07/2018 Date Rec'd COA: 12/28/2018	
Prior Cases: None	
Current Cases: None	
Panel Assignment: Not available	

1-800 Contacts
Petitioner

Stephen Fishbein, Esq., -
 Direct: 212-848-4424
 [COR LD NTC Retained]
 Shearman & Sterling LLP
 599 Lexington Avenue
 New York, NY 10022

Brian Hauser, Esq., -
 Direct: 202-508-8005
 [COR NTC -]
 Shearman & Sterling LLP
 401 9th Street, NW
 Washington, DC 20004

Todd Stenerson, Esq., -
 Direct: 202-508-8093
 [COR NTC Retained]
 Shearman & Sterling LLP
 Suite 800
 401 9th Street, NW
 Washington, DC 20004

 Federal Trade Commission
 Respondent

Imad Dean Abyad, -
 Direct: 202-326-3579
 [COR NTC US Attorney]
 United States Federal Trade Commission
 600 Pennsylvania Avenue, NW
 Washington, DC 20580

 American Intellectual Property Law Association
 Amicus Curiae

Theodore H. Davis, Jr., Esq., -
 Direct: 404-815-6534
 [COR NTC -]
 Kilpatrick Townsend & Stockton LLP
 Suite 2800
 1100 Peachtree Street, NE
 Atlanta, GA 30309

Sheldon H. Klein, Esq., -
 Direct: 202-295-2200
 [COR NTC -]

	Lathrop GPM LLP Suite 700 600 New Hampshire Avenue, NW The Watergate Washington, DC 20037
Richard A. Epstein Amicus Curiae	Corbin Barthold, Esq., - [COR NTC -] Washington Legal Foundation 2009 Massachusetts Avenue, NW Washington, DC 20036
Keith Hylton Amicus Curiae	Corbin Barthold, Esq., - [COR NTC -] (see above)
Thomas Lambert Amicus Curiae	Corbin Barthold, Esq., - [COR NTC -] (see above)
Geoffrey Manne Amicus Curiae	Corbin Barthold, Esq., - [COR NTC -] (see above)
Hal Singer Amicus Curiae	Corbin Barthold, Esq., - [COR NTC -] (see above)
Washington Legal Foundation Amicus Curiae	Corbin Barthold, Esq., - [COR NTC -] (see above)
United States Council for International Business Amicus Curiae	Eileen Cole, Esq., - Direct: 212-819-7907 [COR NTC -] White & Case LLP 701 13th Street, NW Washington, DC 20005 Bryan Daniel Gant, Esq., - Direct: 212-819-8477 [COR NTC -] White & Case LLP 1221 Avenue of the Americas New York, NY 10020 Seiji Niwa, - Direct: 212-819-8487 [COR NTC -] White & Case LLP 1221 Avenue of the Americas New York, NY 10020
Intellectual Property and Internet Law Professors Amicus Curiae	Mark A. Lemley, - Direct: 415-362-6666 [COR NTC -] Durie Tangri LLP 217 Leidesdorff Street San Francisco, CA 94111

1-800 Contacts,

Petitioner,

v.

Federal Trade Commission,

Respondent.

12/28/2018	1 16 pg, 573.51 KB	PETITION FOR REVIEW OF AGENCY ORDER, on behalf of Petitioner 1-800 Contacts, FILED. [2466637] [18-3848] [Entered: 01/03/2019 12:33 PM]
12/28/2018	3 8 pg, 56.22 KB	AGENCY DECISION AND ORDER, dated 11/07/2018, RECEIVED.[2466643] [18-3848] [Entered: 01/03/2019 12:36 PM]
12/28/2018	4 110 pg, 763.21 KB	AGENCY DECISION AND ORDER, dated 11/07/2018, RECEIVED.[2466645] [18-3848] [Entered: 01/03/2019 12:37 PM]
12/28/2018	5 215 pg, 2.57 MB	AGENCY DECISION AND ORDER, dated 10/27/2017, RECEIVED.[2466678] [18-3848] [Entered: 01/03/2019 12:49 PM]
12/28/2018	6 6 pg, 73.08 KB	AGENCY DECISION AND ORDER, dated 02/01/2017, RECEIVED.[2466680] [18-3848] [Entered: 01/03/2019 12:50 PM]
12/28/2018	7	PAYMENT OF DOCKETING FEE, on behalf of Petitioner 1-800 Contacts, USCA receipt # A02-71879-928, FILED.[2466687] [18-3848] [Entered: 01/03/2019 12:55 PM]
01/03/2019	8 354 pg, 3.99 MB	PETITION FOR REVIEW OF AGENCY ORDER, SERVED. [2466694] [18-3848] [Entered: 01/03/2019 12:57 PM]
01/08/2019	11 2 pg, 90.58 KB	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Petitioner 1-800 Contacts, FILED. Service date 01/08/2019 by CM/ECF.[2469964] [18-3848] [Entered: 01/08/2019 01:42 PM]
01/08/2019	12 1 pg, 126.85 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Petitioner 1-800 Contacts, FILED. Service date 01/08/2019 by CM/ECF. [2469970] [18-3848] [Entered: 01/08/2019 01:46 PM]
01/08/2019	13 1 pg, 127.73 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Petitioner 1-800 Contacts, FILED. Service date 01/08/2019 by CM/ECF. [2469977] [18-3848] [Entered: 01/08/2019 01:48 PM]
01/08/2019	14	ATTORNEY, Ryan A. Shores for 1-800 Contacts, in case 18-3848 , 12 , ADDED.[2470044] [18-3848] [Entered: 01/08/2019 02:36 PM]
01/08/2019	15	ATTORNEY, Todd Stenerson for 1-800 Contacts, in case 18-3848 , 13 , ADDED.[2470102] [18-3848] [Entered: 01/08/2019 02:57 PM]
01/11/2019	18	FORM C/A, on behalf of Petitioner 1-800 Contacts, FILED. Service date 01/11/2019 by CM/ECF, email. [2473806] [18-3848] [Entered: 01/11/2019 06:39 PM]
01/14/2019	19 2 pg, 17.55 KB	DEFECTIVE DOCUMENT, FORM C/A, [18], on behalf of Petitioner 1-800 Contacts, FILED.[2473859] [18-3848] [Entered: 01/14/2019 08:50 AM]
01/14/2019	20 349 pg, 11.52 MB	FORM C/A, on behalf of Petitioner 1-800 Contacts, FILED. Service date 01/11/2019 by CM/ECF, email. [2474446] [18-3848] [Entered: 01/14/2019 01:49 PM]
01/14/2019	21	CURED DEFECTIVE FORM C/A 20 , on behalf of Petitioner 1-800 Contacts, FILED.[2474530] [18-3848] [Entered: 01/14/2019 02:47 PM]
01/29/2019	24 1 pg, 47.55 KB	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Respondent Federal Trade Commission, FILED. Service date 01/29/2019 by CM/ECF.[2484540] [18-3848] [Entered: 01/29/2019 02:51 PM]
03/08/2019	26 47 pg, 199.12 KB	CERTIFIED LIST, describing all materials constituting record, FILED. Service date 03/08/2019 by CM/ECF.[2513852] [18-3848] [Entered: 03/08/2019 02:42 PM]
03/18/2019	29 1 pg, 6.49 KB	NEW CASE MANAGER, Elizabeth Munoz, ASSIGNED.[2519507] [18-3848] [Entered: 03/18/2019 09:26 AM]
03/19/2019	30 2 pg, 158.18 KB	LR 31.2 SCHEDULING NOTIFICATION, on behalf of Petitioner 1-800 Contacts, informing Court of proposed due date 06/07/2019, RECEIVED. Service date 03/19/2019 by CM/ECF, email.[2521441] [18-3848] [Entered: 03/19/2019 04:01 PM]
03/20/2019	33 1 pg, 16.6 KB	SO-ORDERED SCHEDULING NOTIFICATION, setting Petitioner 1-800 Contacts Brief due date as 06/07/2019 FILED.[2521803] [18-3848] [Entered: 03/20/2019 10:18 AM]
05/15/2019	34 6 pg, 212.16 KB	MOTION, to file oversized brief, on behalf of Petitioner 1-800 Contacts, FILED. Service date 05/15/2019 by CM/ECF. [2565090] [18-3848] [Entered: 05/15/2019 05:44 PM]
05/20/2019	38 1 pg, 60.16 KB	MOTION ORDER, granting motion to file oversized brief containing up to 20,000 34 filed by Petitioner 1-800 Contacts. Appellee FTC may file a responsive brief of up to 20,000 words by PWH, FILED. [2567715] [38] [18-3848] [Entered: 05/20/2019 02:17 PM]
05/23/2019	40 1 pg, 252.63 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Petitioner 1-800 Contacts, FILED. Service date 03/28/2018 by CM/ECF. [2571434] [18-3848] [Entered: 05/23/2019 03:03 PM]
05/24/2019	41 2 pg, 131.71 KB	NON-DISPOSITIVE STIPULATION, re: filing a deferred appendix, RECEIVED. Service date 05/24/2019 by CM/ECF.[2572130] [18-3848]--[Edited 05/28/2019 by EM] [Entered: 05/24/2019 11:44 AM]
05/28/2019	42 2 pg, 131.71 KB	NON-DISPOSITIVE STIPULATION, re: filing a deferred appendix, RECEIVED. Service date 05/28/2019 by CM/ECF.[2572880] [18-3848]--[Edited 05/28/2019 by EM] [Entered: 05/28/2019 10:16 AM]

05/28/2019	<input type="checkbox"/> 43	ATTORNEY, Brian Hauser for 1-800 Contacts, in case 18-3848 , [40] , ADDED.[2573200] [18-3848] [Entered: 05/28/2019 12:54 PM]
05/28/2019	<input type="checkbox"/> 46 1 pg, 59.84 KB	SO-ORDERED NON-DISPOSITIVE STIPULATION, to file deferred appendix, FILED.[2573721] [18-3848] [Entered: 05/28/2019 05:39 PM]
06/03/2019	<input type="checkbox"/> 47 38 pg, 10.64 MB	MOTION, to seal document, on behalf of Petitioner 1-800 Contacts, FILED. Service date 06/03/2019 by CM/ECF. [2578760] [18-3848] [Entered: 06/03/2019 07:22 PM]
06/07/2019	<input type="checkbox"/> 49 1 pg, 12.33 KB	CERTIFICATE OF SERVICE, for Confidential Page Proof Brief for Petitioner, on behalf of Petitioner 1-800 Contacts, FILED. Service date 06/07/2019 by 3rd party, CM/ECF.[2582721] [18-3848] [Entered: 06/07/2019 03:28 PM]
06/07/2019	<input type="checkbox"/> 54 1 pg, 19.37 KB	SEALED PAGE PROOF BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. [2583846] [18-3848] [Entered: 06/10/2019 04:23 PM]
06/10/2019	<input type="checkbox"/> 52 1 pg, 41.42 KB	LR 31.2 SCHEDULING NOTIFICATION, on behalf of Respondent Federal Trade Commission, informing Court of proposed due date 09/06/2019, RECEIVED. Service date 06/10/2019 by CM/ECF.[2583664] [18-3848] [Entered: 06/10/2019 03:13 PM]
06/10/2019	<input type="checkbox"/> 53 1 pg, 60.08 KB	MOTION ORDER, granting motion to file principal brief under seal [47] filed by Petitioner 1-800 Contacts, by DC, FILED. [2583796][53] [18-3848] [Entered: 06/10/2019 04:00 PM]
06/12/2019	<input type="checkbox"/> 60 1 pg, 16.79 KB	SO-ORDERED SCHEDULING NOTIFICATION, setting Respondent Federal Trade Commission Brief due date as 09/06/2019, FILED.[2585045] [18-3848] [Entered: 06/12/2019 09:23 AM]
06/12/2019	<input type="checkbox"/> 61 1 pg, 63.27 KB	NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, American Intellectual Property Law Association, FILED. Service date 06/12/2019 by CM/ECF. [2585195] [18-3848]--[Edited 06/12/2019 by EM] [Entered: 06/12/2019 10:44 AM]
06/12/2019	<input type="checkbox"/> 62	NEW PARTY, Movant American Intellectual Property Law Association, ADDED.[2585338] [18-3848] [Entered: 06/12/2019 11:52 AM]
06/12/2019	<input type="checkbox"/> 63	REDACTED BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date 06/12/2019 by CM/ECF. [2585444] [18-3848]--[Edited 06/12/2019 by EM] [Entered: 06/12/2019 01:11 PM]
06/12/2019	<input type="checkbox"/> 64 2 pg, 11.61 KB	DEFECTIVE DOCUMENT, REDACTED BRIEF, [63], on behalf of , FILED.[2585482] [18-3848] [Entered: 06/12/2019 01:58 PM]
06/12/2019	<input type="checkbox"/> 65 99 pg, 1.45 MB	REDACTED PAGE PROOF BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date 06/12/2019 by CM/ECF.[2585563] [18-3848]--[Edited 06/13/2019 by EM] [Entered: 06/12/2019 03:07 PM]
06/12/2019	<input type="checkbox"/> 66 6 pg, 81.88 KB	MOTION, for admission pro hac vice, on behalf of Movant American Intellectual Property Law Association, FILED. Service date 06/12/2019 by US mail.[2585656] [18-3848] [Entered: 06/12/2019 03:55 PM]
06/12/2019	<input type="checkbox"/> 68	CURED DEFECTIVE REDACTED BRIEF, [65] , on behalf of Petitioner 1-800 Contacts, FILED.[2585786] [18-3848] [Entered: 06/12/2019 04:52 PM]
06/13/2019	<input type="checkbox"/> 71 1 pg, 201.96 KB	NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, Richard A. Epstein, Keith Hylton, Thomas Lambert, Geoffrey Manne, Hal Singer, and Washington Legal Foundation, FILED. Service date 06/13/2019 by CM/ECF. [2586605] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/13/2019 03:56 PM]
06/13/2019	<input type="checkbox"/> 73 1 pg, 60.32 KB	MOTION ORDER, granting motion for admission pro hac vice [66] filed by Movant American Intellectual Property Law Association, by DC, FILED. [2586696][73] [18-3848] [Entered: 06/13/2019 04:46 PM]
06/14/2019	<input type="checkbox"/> 74 38 pg, 232.74 KB	AMICUS BRIEF, on behalf of Richard A. Epstein, Keith Hylton, Thomas Lambert, Geoffrey Manne, Hal Singer, and Washington Legal Foundation, FILED. Service date 06/14/2019 by CM/ECF. [2586903] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/14/2019 09:51 AM]
06/14/2019	<input type="checkbox"/> 75 1 pg, 24.29 KB	NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, Amicus American Intellectual Property Law Association, FILED. Service date 06/14/2019 by CM/ECF. [2586996] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/14/2019 10:43 AM]
06/14/2019	<input type="checkbox"/> 76 1 pg, 56.83 KB	NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, Amicus United States Council for International Business, FILED. Service date 06/14/2019 by CM/ECF. [2587397] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/14/2019 03:17 PM]
06/14/2019	<input type="checkbox"/> 77 39 pg, 318.67 KB	AMICUS BRIEF, on behalf of Amicus American Intellectual Property Law Association, FILED. Service date 06/14/2019 by CM/ECF. [2587537] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/14/2019 04:26 PM]
06/14/2019	<input type="checkbox"/> 78 1 pg, 953.81 KB	NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, Amicus United States Council for International Business, FILED. Service date 06/14/2019 by CM/ECF. [2587538] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/14/2019 04:27 PM]
06/14/2019	<input type="checkbox"/> 79 1 pg, 61.55 KB	NOTICE OF APPEARANCE AS AMICUS COUNSEL, on behalf of, Amicus United States Council for International Business, FILED. Service date 06/14/2019 by CM/ECF. [2587615] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/14/2019 06:23 PM]
06/14/2019	<input type="checkbox"/> 80	AMICUS BRIEF, on behalf of Amicus United States Council For International Business, FILED. Service

	40 pg, 409.5 KB	date 06/14/2019 by CM/ECF. [2587617] [18-3848]--[Edited 06/19/2019 by EM] [Entered: 06/14/2019 06:29 PM]
06/19/2019	<input type="checkbox"/> 81	NEW PARTY, Amicus Curiae Richard A. Epstein, ADDED.[2590393] [18-3848] [Entered: 06/19/2019 01:21 PM]
06/19/2019	<input type="checkbox"/> 82	NEW PARTY, Amicus Curiae Keith Hylton, ADDED.[2590394] [18-3848] [Entered: 06/19/2019 01:22 PM]
06/19/2019	<input type="checkbox"/> 83	NEW PARTY, Amicus Curiae Thomas Lambert, ADDED.[2590400] [18-3848] [Entered: 06/19/2019 01:24 PM]
06/19/2019	<input type="checkbox"/> 84	NEW PARTY, Amicus Curiae Geoffrey Manne, ADDED.[2590402] [18-3848] [Entered: 06/19/2019 01:25 PM]
06/19/2019	<input type="checkbox"/> 85	NEW PARTY, Amicus Curiae Hal Singer, ADDED.[2590405] [18-3848] [Entered: 06/19/2019 01:27 PM]
06/19/2019	<input type="checkbox"/> 86	NEW PARTY, Amicus Curiae Washington Legal Foundation, ADDED.[2590407] [18-3848] [Entered: 06/19/2019 01:28 PM]
06/19/2019	<input type="checkbox"/> 88	NEW PARTY, Amicus Curiae United States Council for International Business, ADDED.[2590439] [18-3848] [Entered: 06/19/2019 01:50 PM]
06/19/2019	<input type="checkbox"/> 89	ATTORNEY, Seiji Niwa for United States Council for International Business, in case 18-3848 , [79] , ADDED.[2590454] [18-3848] [Entered: 06/19/2019 02:01 PM]
06/19/2019	<input type="checkbox"/> 90	ATTORNEY, Bryan Daniel Gant for United States Council for International Business, in case 18-3848, [76] , ADDED.[2590457] [18-3848] [Entered: 06/19/2019 02:03 PM]
09/06/2019	<input type="checkbox"/> 94 118 pg, 565.84 KB	PAGE PROOF BRIEF, on behalf of Respondent Federal Trade Commission, FILED. Service date 09/06/2019 by CM/ECF. [2649405] [18-3848] [Entered: 09/06/2019 03:24 PM]
09/09/2019	<input type="checkbox"/> 95 1 pg, 77.3 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Imad Dean Abyad for Respondent Federal Trade Commission, FILED. Service date 09/09/2019 by CM/ECF. [2650071] [18-3848] [Entered: 09/09/2019 11:15 AM]
09/11/2019	<input type="checkbox"/> 98 6 pg, 228.68 KB	MOTION, to file oversized brief, to extend time, on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/11/2019 by CM/ECF. [2653221] [18-3848] [Entered: 09/11/2019 05:05 PM]
09/12/2019	<input type="checkbox"/> 99 29 pg, 238.01 KB	AMICUS BRIEF, Amicus Curiae Intellectual Property and Internet Law Professors, FILED. Service date 09/12/2019 by CM/ECF. [2653465] [18-3848]--[Edited 09/13/2019 by EM] [Entered: 09/12/2019 09:36 AM]
09/13/2019	<input type="checkbox"/> 103 1 pg, 59.97 KB	MOTION ORDER, granting motion to file oversized brief [98] filed by Petitioner 1-800 Contacts; granting motion to extend time until 10/04/2019, to file the reply brief, [98] filed by Petitioner 1-800 Contacts, by JFB, FILED. [2655443][103] [18-3848] [Entered: 09/13/2019 04:02 PM]
09/13/2019	<input type="checkbox"/> 104	NEW PARTY, Amicus Curiae Intellectual Property and Internet Law Professors, ADDED.[2655554] [18-3848] [Entered: 09/13/2019 04:33 PM]
09/16/2019	<input type="checkbox"/> 105 1 pg, 63.29 KB	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Amicus Curiae Intellectual Property and Internet Law Professors, FILED. Service date 09/16/2019 by CM/ECF.[2656104] [18-3848] [Entered: 09/16/2019 12:05 PM]
09/19/2019	<input type="checkbox"/> 108 1 pg, 50.96 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Ryan A. Shores, Esq. for Petitioner 1-800 Contacts, FILED. Service date 09/19/2019 by CM/ECF. [2659124] [18-3848] [Entered: 09/19/2019 09:46 AM]
09/20/2019	<input type="checkbox"/> 110 39 pg, 20.58 MB	MOTION, to extend time, to seal document, on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/20/2019 by CM/ECF. [2660615] [18-3848] [Entered: 09/20/2019 12:59 PM]
09/23/2019	<input type="checkbox"/> 112 3 pg, 82.84 KB	LETTER, on behalf of Respondent Federal Trade Commission, informing the Court of unavailability for oral argument, RECEIVED. Service date 09/23/2019 by CM/ECF.[2661603] [18-3848]--[Edited 09/23/2019 by EM] [Entered: 09/23/2019 11:15 AM]
09/26/2019	<input type="checkbox"/> 115 38 pg, 21.32 MB	MOTION, to seal document, on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/26/2019 by CM/ECF. [2665178] [18-3848] [Entered: 09/26/2019 10:50 AM]
09/27/2019	<input type="checkbox"/> 118 1 pg, 12.27 KB	CERTIFICATE OF SERVICE, for Confidential Joint Appendix (Filed Under Seal), Volumes 1-10, on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2666923] [18-3848] [Entered: 09/27/2019 03:20 PM]
09/27/2019	<input type="checkbox"/> 122 1 pg, 21.94 KB	SEALED JOINT APPENDIX, volume 1 of 10, (pp. A1-A273), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2669997] [18-3848] [Entered: 10/02/2019 10:57 AM]
09/27/2019	<input type="checkbox"/> 123 1 pg, 19.3 KB	SEALED JOINT APPENDIX, volume 2 of 10, (pp. A274- A543) on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670008] [18-3848] [Entered: 10/02/2019 11:04 AM]
09/27/2019	<input type="checkbox"/> 124 1 pg, 21.99 KB	SEALED JOINT APPENDIX, volume 3 of 10, (pp. A544-A812), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670029] [18-3848] [Entered: 10/02/2019 11:13 AM]
09/27/2019	<input type="checkbox"/> 125	SEALED JOINT APPENDIX, volume 4 of 10, (pp. A813-A1086), on behalf of Petitioner 1-800 Contacts,

1 pg, 19.3 KB	FILED. Service date 09/27/2019 by US mail.[2670094] [18-3848] [Entered: 10/02/2019 11:40 AM]
09/27/2019 126 1 pg, 19.3 KB	SEALED JOINT APPENDIX, volume 5 of 10, (pp. A1087-A1360), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670114] [18-3848] [Entered: 10/02/2019 11:52 AM]
09/27/2019 127 1 pg, 19.3 KB	SEALED JOINT APPENDIX, volume 6 of 10, (pp. A1361-A1634), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670142] [18-3848] [Entered: 10/02/2019 12:03 PM]
09/27/2019 128 1 pg, 19.3 KB	SEALED JOINT APPENDIX, volume 7 of 10, (pp. A1635-A1908), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670157] [18-3848] [Entered: 10/02/2019 12:09 PM]
09/27/2019 129 1 pg, 19.3 KB	SEALED JOINT APPENDIX, volume 8 of 10, (pp. A1909-A2182), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670171] [18-3848] [Entered: 10/02/2019 12:14 PM]
09/27/2019 130 1 pg, 19.3 KB	SEALED JOINT APPENDIX, volume 9 of 10, (pp. A 2183-A2456), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670182] [18-3848] [Entered: 10/02/2019 12:19 PM]
09/27/2019 131 1 pg, 19.3 KB	SEALED JOINT APPENDIX, volume 10 of 10, (pp. A2457-A2734), on behalf of Petitioner 1-800 Contacts, FILED. Service date 09/27/2019 by US mail.[2670195] [18-3848] [Entered: 10/02/2019 12:25 PM]
10/01/2019 119 5 pg, 166.79 KB	MOTION, to file supplemental appendix, to seal document, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/01/2019 by CM/ECF. [2668695] [18-3848] [Entered: 10/01/2019 10:42 AM]
10/02/2019 132 1 pg, 60.4 KB	MOTION ORDER, granting motion to extend time until 10/04/2019 to file deferred appendix 110 ; granting motion to file the deferred appendix under seal 110 ; granting motion to file reply brief under seal 115 filed by Petitioner 1-800 Contacts. Petitioner shall file redacted version of the appendix and its reply brief, pursuant to LR 25.1(j)(2), by DAL, FILED. [2670211][132] [18-3848] [Entered: 10/02/2019 12:35 PM]
10/02/2019 134 1 pg, 59.92 KB	MOTION ORDER, granting motion to file sealed supplemental appendix on 10/04/2019 119 ; 119 filed by Petitioner 1-800 Contacts, FILED. [2670604][134] [18-3848] [Entered: 10/02/2019 04:03 PM]
10/03/2019 135 5 pg, 205.68 KB	MOTION, to seal document, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/03/2019 by CM/ECF. [2671916] [18-3848] [Entered: 10/03/2019 05:04 PM]
10/04/2019 138 1 pg, 60.11 KB	MOTION ORDER, granting motion to seal special appendix 135 filed by Petitioner 1-800 Contacts. Petitioner shall file a redacted version of the special appendix pursuant to LR 25.1(j)(2), FILED. [2672656] [138] [18-3848] [Entered: 10/04/2019 12:45 PM]
10/04/2019 139 1 pg, 12.34 KB	CERTIFICATE OF SERVICE, for Confidential Page Proof Reply Brief for Petitioner (Filed Under Seal), on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by US mail.[2673007] [18-3848] [Entered: 10/04/2019 03:15 PM]
10/04/2019 140	CERTIFICATE OF SERVICE, for Confidential Special Appendix, Volumes 1-2 (Filed Under Seal), on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by US mail.[2673011] [18-3848] [Entered: 10/04/2019 03:17 PM]
10/04/2019 141	CERTIFICATE OF SERVICE, for Confidential Supplemental Appendix, Volumes 1-2 (Filed Under Seal), on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by US mail.[2673012] [18-3848] [Entered: 10/04/2019 03:18 PM]
10/04/2019 142 278 pg, 4.11 MB	REDACTED DEFERRED APPENDIX, volume 1 of 10, (pp. 1-273) on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673414] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:00 PM]
10/04/2019 143 276 pg, 4.49 MB	REDACTED DEFERRED APPENDIX, volume 2 of 10, (pp. 274-543) on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673416] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:05 PM]
10/04/2019 144 275 pg, 17.72 MB	REDACTED DEFERRED APPENDIX, volume 3 of 10, (pp. 544-812) on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673417] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:08 PM]
10/04/2019 145 280 pg, 40.4 MB	REDACTED DEFERRED APPENDIX, volume 4 of 10, (pp. 813-1086) on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673418] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:11 PM]
10/04/2019 146 279 pg, 12.1 MB	REDACTED DEFERRED APPENDIX, volume 5 of 10, (pp. 1087-1360) on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673419] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:13 PM]
10/04/2019 147 279 pg, 2.09 MB	REDACTED DEFERRED APPENDIX, volume 6 of 10, (pp. 1361-1634) on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673420] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:16 PM]
10/04/2019 148 279 pg, 28.84 MB	REDACTED DEFERRED APPENDIX, volume 7 of 10, (pp. 1635-1908) on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673421] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:18 PM]
10/04/2019 149	REDACTED DEFERRED APPENDIX, volume 8 of 10, (pp. 1909-2182) on behalf of Petitioner 1-800

279 pg, 38.59 MB Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673422] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:20 PM]

10/04/2019 ☐ [150](#) REDACTED DEFERRED APPENDIX, volume 9 of 10, (pp. 2183-2456) on behalf of Petitioner 1-800
279 pg, 31.93 MB Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673423] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:23 PM]

10/04/2019 ☐ [151](#) REDACTED DEFERRED APPENDIX, volume 10 of 10, (pp. 2457-2734) on behalf of Petitioner 1-800
283 pg, 3.87 MB Contacts, FILED. Service date 10/04/2019 by CM/ECF.[2673424] [18-3848]--[Edited 10/08/2019 by EM] [Entered: 10/04/2019 08:25 PM]

10/04/2019 ☐ [160](#) SEALED SPECIAL APPENDIX, volume 1 of 2 (pp. SPA-1 to SPA-214), on behalf of Petitioner 1-800
1 pg, 22.03 KB Contacts, FILED. Service date 10/04/2014 by US mail, CM/ECF.[2675362] [18-3848] [Entered: 10/08/2019 02:33 PM]

10/04/2019 ☐ [161](#) SEALED SPECIAL APPENDIX, volume 2 of 2 (pp. SPA-215 to SPA-338), on behalf of Petitioner 1-800
1 pg, 22.06 KB Contacts, FILED. Service date 10/04/2019 by US mail, CM/ECF.[2675365] [18-3848] [Entered: 10/08/2019 02:36 PM]

10/04/2019 ☐ [162](#) SEALED SUPPLEMENTAL APPENDIX, volume 1 of 2 (pp. SA-1 to SA-194), on behalf of Petitioner 1-800
1 pg, 19.38 KB Contacts, FILED. Service date 10/04/2018 by US mail, CM/ECF. [2675383] [18-3848] [Entered: 10/08/2019 02:42 PM]

10/04/2019 ☐ [163](#) SEALED SUPPLEMENTAL APPENDIX, volume 2 of 2 (pp. SA-195 to SA-337), on behalf of Petitioner 1-800
1 pg, 19.38 KB Contacts, FILED. Service date 10/04/2019 by US mail, CM/ECF. [2675388] [18-3848] [Entered: 10/08/2019 02:46 PM]

10/04/2019 ☐ [166](#) SEALED PAGE PROOF REPLY BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date
1 pg, 47.53 KB 10/04/2019 by CM/ECF, US mail. [2675431] [18-3848] [Entered: 10/08/2019 03:08 PM]

10/07/2019 ☐ [153](#) FINAL FORM BRIEF, on behalf of Respondent Federal Trade Commission, FILED. Service date
118 pg, 569.14 KB 10/07/2019 by CM/ECF. [2674661] [18-3848] [Entered: 10/07/2019 05:31 PM]

10/08/2019 ☐ [155](#) DEFECTIVE DOCUMENT, Supplemental Appendix Volume 1 of 2, [141], on behalf of Petitioner 1-800
2 pg, 11.8 KB Contacts, FILED.[2675290] [18-3848] [Entered: 10/08/2019 01:42 PM]

10/08/2019 ☐ [154](#) DEFECTIVE DOCUMENT, Certificate of service for Special Appendix Volume 1 of 2, [140], on behalf of
2 pg, 11.85 KB Petitioner 1-800 Contacts, FILED.[2675282] [18-3848] [Entered: 10/08/2019 01:34 PM]

10/08/2019 ☐ [156](#) CERTIFICATE OF SERVICE, for Confidential Special Appendix, Volume 1 (Pages SPA-1 - SPA-214)
1 pg, 12.44 KB (Filed Under Seal), on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by US mail.
[2675318] [18-3848] [Entered: 10/08/2019 02:09 PM]

10/08/2019 ☐ [157](#) CERTIFICATE OF SERVICE, for Confidential Special Appendix, Volume 2 (Pages SPA-215 - SPA-338)
1 pg, 12.43 KB (Filed Under Seal), on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by US mail.
[2675324] [18-3848] [Entered: 10/08/2019 02:13 PM]

10/08/2019 ☐ [158](#) CERTIFICATE OF SERVICE, for Confidential Supplemental Appendix, Volume 1 (Pgs. SA-1 - SA-194)
1 pg, 12.46 KB (Filed Under Seal), on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by US mail.
[2675325] [18-3848] [Entered: 10/08/2019 02:14 PM]

10/08/2019 ☐ [159](#) CERTIFICATE OF SERVICE, for Confidential Supplemental Appendix, Volume 2 (Pgs. SA-195 - SA-337)
1 pg, 12.43 KB (Filed Under Seal), on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/04/2019 by US mail.
[2675330] [18-3848] [Entered: 10/08/2019 02:16 PM]

10/08/2019 ☐ 164 CURED DEFECTIVE: SPECIAL APPENDIX, 2 Volumes, [156](#), [157](#), on behalf of Petitioner 1-800
Contacts, FILED.[2675413] [18-3848] [Entered: 10/08/2019 03:00 PM]

10/08/2019 ☐ 165 CURED DEFECTIVE SUPPLEMENTAL APPENDIX, [158](#), [159](#), on behalf of Petitioner 1-800 Contacts,
FILED.[2675417] [18-3848] [Entered: 10/08/2019 03:02 PM]

10/09/2019 ☐ 176 PAPERS, extra copy of SEALED Page Proof Reply Brief on behalf of Petitioner 1-800 Contacts,
RECEIVED.[2676965] [18-3848] [Entered: 10/10/2019 10:27 AM]

10/10/2019 ☐ [179](#) CERTIFICATE OF SERVICE, for Confidential Final Form Brief for Petitioner (Filed Under Seal), on behalf
1 pg, 13.02 KB of Petitioner 1-800 Contacts, FILED. Service date 10/10/2019 by US mail.[2677313] [18-3848] [Entered: 10/10/2019 01:51 PM]

10/10/2019 ☐ [180](#) CERTIFICATE OF SERVICE, for Confidential Final Form Reply Brief for Petitioner (Filed Under Seal), on
1 pg, 13.06 KB behalf of Petitioner 1-800 Contacts, FILED. Service date 10/10/2019 by US mail.[2677319] [18-3848] [Entered: 10/10/2019 01:54 PM]

10/10/2019 ☐ [181](#) SEALED FINAL FORM BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/10/2019 by
1 pg, 21.97 KB US mail. [2678807] [18-3848] [Entered: 10/11/2019 04:46 PM]

10/10/2019 ☐ [182](#) SEALED FINAL FORM REPLY BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date
1 pg, 19.4 KB 10/10/2019 by US mail. [2678837] [18-3848] [Entered: 10/11/2019 05:09 PM]

10/10/2019 ☐ [188](#) SEALED FINAL FORM BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. [2679539] [18-3848]

	1 pg, 5.7 KB	[Entered: 10/15/2019 02:12 PM]
10/11/2019	<input type="checkbox"/> 183 51 pg, 259.85 KB	REDACTED PAGE PROOF REPLY BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/11/2019 by CM/ECF. [2678846] [18-3848]--[Edited 10/15/2019 by EM] [Entered: 10/11/2019 05:15 PM]
10/11/2019	<input type="checkbox"/> 184 342 pg, 2.21 MB	REDACTED SPECIAL APPENDIX, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/11/2019 by CM/ECF. [2678859] [18-3848]--[Edited 10/17/2019 by EM] [Entered: 10/11/2019 05:24 PM]
10/11/2019	<input type="checkbox"/> 185 341 pg, 14.52 MB	REDACTED SUPPLEMENTAL APPENDIX, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/11/2019 by CM/ECF. [2678862] [18-3848] [Entered: 10/11/2019 05:28 PM]
10/11/2019	<input type="checkbox"/> 186 99 pg, 900.97 KB	REDACTED FINAL FORM BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/11/2019 by CM/ECF. [2678864] [18-3848] [Entered: 10/11/2019 05:30 PM]
10/11/2019	<input type="checkbox"/> 187 51 pg, 266.08 KB	REDACTED FINAL FORM REPLY BRIEF, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/11/2019 by CM/ECF. [2678865] [18-3848] [Entered: 10/11/2019 05:33 PM]
10/22/2019	<input type="checkbox"/> 193 4 pg, 137.6 KB	MOTION, to be relieved as attorney, on behalf of Petitioner 1-800 Contacts, FILED. Service date 10/22/2019 by CM/ECF. [2686336] [18-3848] [Entered: 10/22/2019 05:41 PM]
10/22/2019	<input type="checkbox"/> 194 1 pg, 18.62 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Stephen Fishbein, Esq. for Petitioner 1-800 Contacts, FILED. Service date 10/22/2019 by CM/ECF. [2686343] [18-3848] [Entered: 10/22/2019 05:50 PM]
10/24/2019	<input type="checkbox"/> 198 1 pg, 60.21 KB	MOTION ORDER, granting motion to be relieved Ryan Shores as attorney [193] filed by Petitioner 1-800 Contacts, FILED. [2688201][198] [18-3848] [Entered: 10/24/2019 01:37 PM]
10/24/2019	<input type="checkbox"/> 199	ATTORNEY, Ryan A. Shores, for Petitioner 1-800 Contacts, TERMINATED.[2688203] [18-3848] [Entered: 10/24/2019 01:38 PM]
12/11/2019	<input type="checkbox"/> 202	CASE CALENDARING, for the week of 03/02/2020, PROPOSED.[2726585] [18-3848] [Entered: 12/11/2019 12:25 PM]
01/28/2020	<input type="checkbox"/> 203	CASE CALENDARING, for argument on 03/05/2020, SET.[2763722] [18-3848] [Entered: 01/28/2020 04:38 PM]
02/06/2020	<input type="checkbox"/> 204 2 pg, 24.33 KB	ARGUMENT NOTICE, to attorneys/parties, TRANSMITTED.[2771726] [18-3848] [Entered: 02/06/2020 11:59 AM]
02/06/2020	<input type="checkbox"/> 205 1 pg, 86.08 KB	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Respondent Federal Trade Commission, FILED. Service date 02/06/2020 by CM/ECF. [2772030] [18-3848] [Entered: 02/06/2020 03:13 PM]
02/19/2020	<input type="checkbox"/> 206 1 pg, 1.61 MB	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Petitioner 1-800 Contacts, FILED. Service date 02/19/2020 by CM/ECF. [2782039] [18-3848] [Entered: 02/19/2020 05:25 PM]
03/05/2020	<input type="checkbox"/> 207	CASE, before PWH, GEL, SJM, HEARD.[2794356] [18-3848] [Entered: 03/05/2020 11:48 AM]
03/06/2020	<input type="checkbox"/> 208 11 pg, 1.81 MB	LETTER, on behalf of Respondent Federal Trade Commission, in reply to Court's inquiry during oral argument, RECEIVED. Service date 03/06/2020 by CM/ECF.[2796403] [18-3848]--[Edited 03/09/2020 by EM] [Entered: 03/06/2020 06:25 PM]
03/09/2020	<input type="checkbox"/> 209 2 pg, 157.17 KB	LETTER, on behalf of Petitioner 1-800 Contacts, regarding Court's question during oral argument, RECEIVED. Service date 03/09/2020 by CM/ECF.[2796545] [18-3848]--[Edited 03/09/2020 by EM] [Entered: 03/09/2020 09:41 AM]

- ☒ **Documents and Docket Summary**
☐ **Documents Only**

☒ **Include Page Numbers**

Selected Pages: **Selected Size:** **(Max: 50 MB)**