

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



COMMISSIONERS: Joseph J. Simons, Chairman
Noah Joshua Phillips
Rohit Chopra
Rebecca Kelly Slaughter
Christine S. Wilson

In the Matter of

**Axon Enterprise, Inc.
a corporation;**

and

**Safariland, LLC,
a corporation.**

DOCKET NO. 9389

JOINT MOTION TO WITHDRAW MATTER FROM ADJUDICATION

Pursuant to Sections 3.25(b) and (c) of the Commission’s Rules of Practice, 16 C.F.R. § 3.25(b), (c), Complaint Counsel and Counsel for Respondent Safariland, LLC (“Respondent Safariland”) jointly move to withdraw Respondent Safariland from adjudication in Docket No. 9389 for the purpose of the Commission’s consideration of a proposed consent agreement that would resolve all of the claims against Respondent Safariland set forth in the Complaint. Complaint Counsel and Respondent Safariland understand that the matter is currently stayed under the Commission’s Order Regarding Scheduling in Light of Public Health Emergency, March 19, 2020. The proposed consent agreement does not impact the Commission’s action against Respondent Axon Enterprise, Inc., and the adjudication should continue unabated with respect to Respondent Axon Enterprise, Inc. The proposed consent agreement, which is attached and conforms to the requirements of Commission Rule of Practice 2.32, has been executed by

Complaint Counsel and Respondent Safariland and has been approved by the Director of the Bureau of Competition. Accordingly, the parties ask that the matter with respect to Respondent Safariland be withdrawn from adjudication until May 20, 2020.

Dated: March 20, 2020

Respectfully submitted,

s/ Jennifer Milici

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Counsel Supporting the Complaint

s/ Joseph A. Ostoyich

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***Counsel for Respondent
Safariland, LLC***

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**[PROPOSED] ORDER WITHDRAWING RESPONDENT SAFARILAND, LLC, FROM
ADJUDICATION FOR PURPOSE OF CONSIDERING A PROPOSED CONSENT
AGREEMENT**

Complaint Counsel and Respondent Safariland, LLC (“Respondent Safariland”), having jointly moved for Respondent Safariland to be withdrawn from adjudication in this matter in order to enable the Commission to consider a proposed Consent Agreement;

Complaint Counsel and Respondent Safariland, having submitted a proposed Consent Agreement containing a proposed Decision and Order, executed by Respondent Safariland and by Complaint Counsel and approved by the Director of the Bureau of Competition that, if accepted by the Commission, would resolve the claims against Respondent Safariland in their entirety;

IT IS ORDERED, pursuant to Rule 3.25(c) of the Commission Rules of Practice, 16 C.F.R. § 3.25(c), that all claims against Respondent Safariland, as set forth in the Complaint, are hereby withdrawn in their entirety from adjudication until May 20, 2020, and that all proceedings against Respondent Safariland before the Administrative Law Judge are hereby stayed pending determination by the Commission with respect to the proposed Consent Agreement, pursuant to Rule 3.25(f), 16 C.F.R. § 3.25(f); and

IT IS FURTHER ORDERED, pursuant to Rule 3.25(b) of the Commission Rules of Practice, 16 C.F.R. § 3.25(b), that the proposed Consent Agreement shall not be placed on the public record unless and until it is accepted by the Commission; and

IT IS FURTHER ORDERED, pursuant to Rule 3.25(e) of the Commission Rules of Practice, 16 C.F.R. § 3.25(e), that all claims against Respondent Axon Enterprise, Inc. in this matter will remain in an adjudicative status.

By the Commission.

April Tabor
Acting Secretary

SEAL

ISSUED:

ATTACHMENTS

Confidential - Redacted in Entirety

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2020, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
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The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
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Washington, DC 20580

I also certify that I caused the foregoing document to be served via email to:

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Counsel for Respondent Safariland, LLC

Counsel for Respondent Axon Enterprises, Inc.

By: s/ Jennifer Milici
Jennifer Milici

Counsel Supporting the Complaint

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

March 20, 2020

By: s/ Jennifer Milici
Jennifer Milici