

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

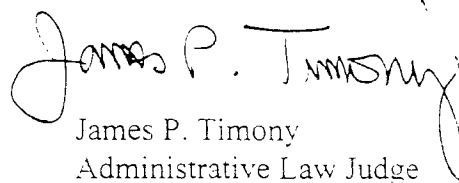
Sept 15, 1998

In the Matter of)
)
)
R.J. REYNOLDS TOBACCO COMPANY.) DOCKET NO. 9285
)
a corporation.)
)

AMENDED ORDER RE MOTION TO RECONSIDER

In its reply to respondent's motion for reconsideration filed September 15, 1998, complaint counsel should consider the practice of allowing third parties (including the various offices of the Commission other than that of complaint counsel) to meet the requirements of Rule 3.38(a) by broadly raised privilege arguments, rather than requiring a schedule of the items as to which a claim of privilege is asserted with the specified information provided as to each such item. Flowers Industries, Inc., Docket No. 9148, Order Quashing Subpoena at note 3, page 2 (September 11, 1981) (JPT No. 150)¹. In this regard, complaint counsel must differentiate between any of the documents in their own files and documents in other Commission offices.

SO ORDERED.


James P. Timony
Administrative Law Judge

Dated: September 15, 1998

¹ Champion Spark Plug Company, Docket No. 9141, Order re Access to Documents, pp. 4-5 (December 16, 1980) (JPT No. 140); Outdoor World Corp., Docket No. 9229, Order Quashing Subpoena (November 3, 1989) (JPT No. 141).