

PUBLIC

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**


In the Matter of)	
)	
Luis Jorge Perez,)	Docket No. 9420
)	
Appellant.)	
)	

ORDER EXTENDING DEADLINE

On November 9, 2023, pursuant to 15 U.S.C. § 3058(b)(1)-(3) and 16 C.F.R. § 1.146(a), Appellant Luis Jorge Perez (“Appellant”) filed a Notice of Appeal and Application for Review of civil sanctions imposed by the Horseracing Integrity and Safety Authority, which included an assertion of contested facts and a request for an evidentiary hearing. On November 30, 2023, in order to facilitate making the determinations required under 16 C.F.R. § 1.146(c)(2) with respect to the evidentiary hearing request,¹ an order was issued directing Appellant to submit a statement identifying the facts that Appellant seeks to contest in the requested evidentiary hearing, together with a demonstration as to how such facts are material to the decision being appealed.

The assessment required under Rule 1.146(c)(2) is due on December 4, 2023; however, in light of the November 30, 2023 order requiring additional information, and to ensure there is time to consider the information to be submitted by Appellant, the deadline to make the determinations required pursuant to Rule 1.146(c)(2) is hereby extended to five business days from the filing of Appellant’s pending response.

ORDERED:


D. Michael Chappell
Chief Administrative Law Judge

Date: December 4, 2023

¹ Rule 1.146(c)(2) of the Procedures for Review of Final Civil Sanctions Imposed under the Horseracing Integrity and Safety Act provides with regard to the factual record for appeal that “the Administrative Law Judge may rely in full or in part on the factual record developed before the Authority” and that “[t]he record may be supplemented by an evidentiary hearing conducted by the Administrative Law Judge to ensure each party receives a fair and impartial hearing.” 16 C.F.R. § 1.146(c)(2). Rule 1.146(c)(2) further requires the Administrative Law Judge to assess, based on the notice of appeal and the response thereto, whether there are contested facts and whether supplementation of the record below is necessary. 16 C.F.R. § 1.146(c)(2)(i)-(iii), (v).