

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before the Honorable Doris Johnson Hines
Administrative Law Judge

In the Matter of

CERTAIN VAPORIZER DEVICES,
CARTRIDGES USED THEREWITH,
AND COMPONENTS THEREOF

Investigation No. 337-TA-1372

**OMNIBUS MOTION TO FILE OUT OF TIME OMNIBUS REPLY BRIEF IN SUPPORT OF
THIRD PARTIES' MICHAEL J. MEDLEY'S, THOMAS H. MARTIN'S, AND MARTIN &
FERRARO LLP'S MOTIONS TO QUASH**

Third Parties' Michael J. Medley, Thomas H. Martin, and Martin & Ferraro LLP, pursuant to 19 C.F.R. § 210.15, respectfully move the ALJ for leave to file its Omnibus Reply Brief in Support of Third Parties' Michael J. Medley's, Thomas H. Martin's, and Martin & Ferraro LLP's Motions to Quash Respondent's Subpoenas *Ad Testificandum* and *Duces Tecum* ("Omnibus Reply Brief in Support of Motions to Quash") one day out of time. The Commission Investigative Staff and Counsel for Respondent JUUL Labs, Inc.'s ("Respondent" or "JLI") do not oppose.

The procedural schedule in this Investigation requires that the Omnibus Reply Brief in Support of Motions to Quash be filed and served on April 4, 2024. *See* Order No. 2, Ground Rule 6.6.2. Despite Counsel's best efforts to file the Omnibus Reply Brief in Support of Motions to Quash before 5:15 p.m. Eastern time on April 4, the EDIS document submission interface experienced a technical issue that caused a delay in filing the Omnibus Reply Brief in Support of Motions to Quash until 34 minutes after this deadline. Counsel's inability to file the Omnibus Reply Brief in Support of Motions to Quash on time did not prejudice the Staff or JLI: the Omnibus Reply Brief in Support of Motions to Quash was served on the Staff and JLI at 6:09 p.m. Third

parties' Mr. Medley, Mr. Martin, and Martin & Ferraro LLP did not receive any unfair advantage due to its time of filing because the Omnibus Reply Brief in Support of Motions to Quash was filed and served within an hour of the deadline.

Thus, Mr. Medley, Mr. Martin, and Martin & Ferraro LLP respectfully request that the ALJ grant the omnibus motion and allow Mr. Medley, Mr. Martin, and Martin & Ferraro LLP to file the Omnibus Reply Brief in Support of Motions to Quash out of time.

Dated: April 5, 2024

Respectfully Submitted,

/s/ Anish R. Desai

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