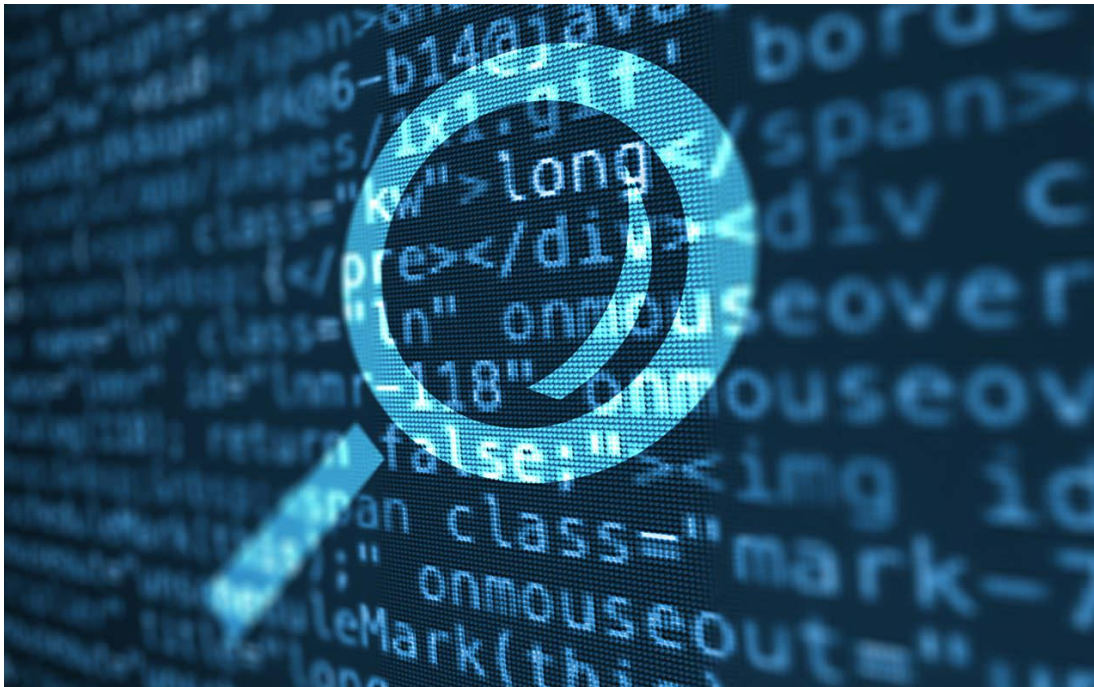


Insights



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Tips For Responding To An FTC Subpoena

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Receiving a subpoena from the Federal Trade Commission can be unnerving and may appear daunting in the scope of its requests. In the current age of electronic discovery, a company facing such a subpoena could easily have thousands of pages of potentially relevant information that must be searched for, identified, collected, reviewed and produced. In addition, there may be requests that ask for specialized data kept by the company to be identified and produced.

To best determine and provide the most responsive and important information, it is often necessary to place limits on the parameters of documents searched, reviewed and produced to make the subpoena response feasible and to isolate important information for the FTC. Negotiations with the FTC regarding scope of discovery, time frames and even format of production can assist in reducing the burden for companies served with an FTC subpoena. Whether in-house counsel will be preparing a response to the FTC or outside counsel is preparing the response, it is helpful to consider the following general practice tips:

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