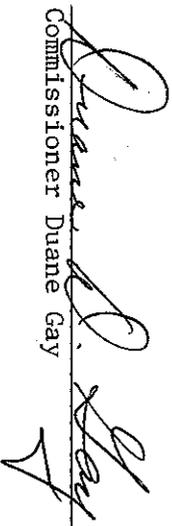




DISSENTING OPINION OF COMMISSIONER DUANE GAY

I must dissent from the position taken by the majority of the Commission in the foregoing order sustaining Defendant's motion to make the complaint more definite and certain. The files and records of the Commission indicate that defendant has deposed at least seven witnesses provided by complainant and has been provided more than ample opportunity to explore the factual basis for the complaint and prepare its defense. Defendant's position as expressed by its motion, and the argument made pursuant to it, show that the defendant is merely taking up the time of this Commission by engaging in dilatory pleading. The interests of the public, the complainant and the defendant would be best served by hearing the complaint forthwith on the pleadings submitted.

  
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Commissioner Duane Gay