

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

IN THE MATTER OF

NORTH TEXAS SPECIALTY PHYSICIANS,
A CORPORATION.

Docket No. 9312

RESPONDENT NORTH TEXAS SPECIALTY PHYSICIANS' PRELIMINARY WITNESS LIST

Pursuant to the scheduling order in this matter, Respondent North Texas Specialty Physicians ("NTSP") submits its preliminary witness list. NTSP reserves the right:

- A. to present testimony, by deposition or orally by live witness, from any other person who has been or may be identified by Complaint Counsel as a potential witness in this matter and any person from whom discovery is sought;
- B. to further supplement this witness list as circumstances may warrant, in accordance with the scheduling order;
- C. to identify rebuttal witnesses as soon as NTSP has had an opportunity to depose Complaint Counsel's witnesses, and once NTSP has received Complaint Counsel's expert reports;
- D. not to call any of the persons listed below to testify at the hearing, as circumstances may warrant; and
- E. to call other persons to address specific allegations by Complaint Counsel as and when those allegations are revealed.

Subject to these reservations of rights, NTSP's preliminary list of witnesses is as follows:

1. Karen Van Wagner, Ph.D.

It is anticipated that Dr. Van Wagner may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent she is familiar;
- the facts alleged by Complaint Counsel to the extent she has knowledge; and
- the defenses of NTSP to the extent she has knowledge.

2. Susan K. Blue, M.D.

It is anticipated that Dr. Blue may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of her medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent she is familiar;
- the facts alleged by Complaint Counsel to the extent she has knowledge; and
- the defenses of NTSP to the extent she has knowledge.

3. Mark F. Collins, M.D.

It is anticipated that Dr. Collins may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

4. Tom Deas, M.D.

It is anticipated that Dr. Deas may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

5. Paul Grant, M.D.

It is anticipated that Dr. Grant may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

6. John W. Johnson, M.D.

It is anticipated that Dr. Johnson may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

7. Mark B. Presley, M.D.

It is anticipated that Dr. Presley may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

8. Harry Rosenthal, Jr., M.D.

It is anticipated that Dr. Rosenthal may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

9. Robert Ruxer, M.D.

It is anticipated that Dr. Ruxer may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

10. **William Vance, M.D.**

It is anticipated that Dr. Vance may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

11. **Jack McCallum, M.D.**

It is anticipated that Dr. McCallum may testify regarding:

- the form and function of NTSP;
- the operations of NTSP;
- the operation of his medical practice;
- the practice of medicine in the DFW Metroplex and surrounding areas to the extent he is familiar;
- the facts alleged by Complaint Counsel to the extent he has knowledge; and
- the defenses of NTSP to the extent he has knowledge.

Respectfully submitted,

Gregory S. C. Huffman
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**ATTORNEYS FOR NORTH TEXAS
SPECIALTY PHYSICIANS**

CERTIFICATE OF SERVICE

I, Gregory D. Binns, hereby certify that on December 15, 2003, I caused a copy of North Texas Specialty Physicians' Preliminary Witness List to be served upon the following persons:

Michael Bloom (via e-mail and Federal Express)
Senior Counsel
Federal Trade Commission
Northeast Region
One Bowling Green, Suite 318
New York, NY 10004

Hon. D. Michael Chappell (via Federal Express)
Administrative Law Judge
Federal Trade Commission
Room H-104
600 Pennsylvania Avenue NW
Washington, D.C. 20580

Office of the Secretary (via e-mail and Federal Express)
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue NW
Washington, D.C. 20580

and by e-mail upon the following: Susan Raitt (sraitt@ftc.gov), and Jonathan Platt (jplatt@ftc.gov).

Gregory D. Binns