

UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION

In the Matter of

PIEDMONT HEALTH ALLIANCE, INC.,  
a corporation,

and

PETER H. BRADSHAW, M.D.,  
S. ANDREWS DEEKENS, M.D.,  
DANIEL C. DILLON, M.D.,  
SANFORD D. GUTTLER, M.D.,  
DAVID L. HARVEY, M.D.,  
JOHN W. KESSEL, M.D.,  
A. GREGORY ROSENFELD, M.D.,  
JAMES R. THOMPSON, M.D.,  
ROBERT A. YAPUNDICH, M.D.,  
and WILLIAM LEE YOUNG III, M.D.,  
individually.

Docket No. 9314

**PUBLIC RECORD**

**Joint Motion to Postpone the Date for Completing Expert Depositions**

Complaint Counsel and Counsel for the Respondents jointly seek permission to postpone the date for completing expert depositions from June 14 until June 28. (We have designated this motion as confidential in accordance with Rule 4.10(g)(2) of the Commission's Rules of Practice.)

The reason for requesting the postponement of the expert depositions is as follows:

1. In accordance with the First Revised Scheduling Order in this matter, expert depositions are to be completed by no later than Monday, June 14.
2. We presently have expert depositions scheduled for June 10, 11, and 14.
- 3.

4. The depositions of the experts represent a significant cost and a substantial time commitment on behalf of both parties,
5. Hence we are requesting Your Honor's permission to postpone the date for completing expert depositions until June 28,

We are not requesting the postponement of any other events set forth in the First Revised Scheduling Order (e.g., the exchange of final witness and exhibit lists, which is set for June 17), nor will we seek to use the postponement of the expert depositions as a basis for delaying the trial. Indeed, we do not believe that granting this request will have any impact on the deadlines affecting Your Honor's role in managing this case to its timely completion.

For the foregoing reasons, Complaint Counsel and Respondents respectfully request that Your Honor grant this motion and issue the attached proposed Order Postponing the Date for Completing Expert Depositions.

---

Markus H. Meier  
Federal Trade Commission  
600 Pennsylvania Ave., N.W.  
Washington, DC 20580

Complaint Counsel

Date: June 9, 2004

---

Mary Jean Moltenbrey  
Freshfields Bruckhaus Deringer LLP  
701 Pennsylvania Ave., N.W., Suite 600  
Washington, DC 20004

Counsel for Respondents

UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION

In the Matter of

PIEDMONT HEALTH ALLIANCE, INC.,  
a corporation,

and

PETER H. BRADSHAW, M.D.,  
S. ANDREWS DEEKENS, M.D.,  
DANIEL C. DILLON, M.D.,  
SANFORD D. GUTTLER, M.D.,  
DAVID L. HARVEY, M.D.,  
JOHN W. KESSEL, M.D.,  
A. GREGORY ROSENFELD, M.D.,  
JAMES R. THOMPSON, M.D.,  
ROBERT A. YAPUNDICH, M.D.,  
and WILLIAM LEE YOUNG III, M.D.,  
individually.

Docket No. 9314

**Proposed Order Postponing Date for Completing Expert Depositions**

The parties shall complete expert depositions no later than June 28, 2004. This Order does not modify any other deadlines or other matters set forth in the Scheduling Order entered on January 30, 2004 or the First Revised Scheduling Order entered on April 15, 2004.

ORDERED:

\_\_\_\_\_  
D. Michael Chappell  
Administrative Law Judge

Date: June 9, 2004