

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

237635
MAY 14 2008
536016

COMMISSIONERS: William E. Kovacic, Chairman
Pamela Jones Harbour
Jon Leibowitz
J. Thomas Rosch

In the Matter of)
)
INOVA HEALTH SYSTEM FOUNDATION,)
a corporation, and)
)
PRINCE WILLIAM HOSPITAL SYSTEM, INC.)
a corporation.)

Docket No. 9326

ORDER SETTING SCHEDULING CONFERENCE


The parties are hereby notified that a Scheduling Conference, pursuant to Commission Rule 3.21, 16 C.F.R. § 3.21, will be held in this case on Thursday, May 29, 2008 at 2:00 p.m., in the Federal Trade Commission's Hearing Room 532, located at 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

IT IS ORDERED THAT before appearing at the conference, the parties or their counsel, or both, shall meet and confer about the substance of the action and the most expeditious means of resolving this litigation. In addition, the parties are instructed to submit a joint case management statement prior to the Scheduling Conference that includes the following information:

1. Facts: A brief chronology of the facts and a statement of the principal factual issues in dispute.
2. Legal Issues: A brief statement, without extended legal argument, of the disputed points of law, including reference to specific statutes and decisions.
3. Motions: The current status of pending motions. In addition, counsel shall address any anticipated motions, including but not limited to motions respecting Respondent's affirmative defenses challenging the legal viability of the pleaded relevant market and of the Complaint. Proposed briefing and oral argument dates should be submitted for all anticipated motions.
4. Amendment of Pleadings: The extent to which parties, claims, or defenses are expected to be added or dismissed and a proposed deadline for amending the pleadings.

5. Evidence Preservation: Steps taken to preserve evidence relevant to the issues reasonably evident in this action, including interdiction of any document-destruction program and any ongoing erasures of e-mails, voice mails, and other electronically-recorded material.
6. Discovery: The scope of anticipated discovery, any proposed limitations or modifications of the discovery rules, and a proposed discovery plan.
7. Related Cases: Any related cases or proceedings pending before another court or administrative body.
8. Narrowing of Issues: Issues that can be narrowed by agreement or by motion, suggestions to expedite the presentation of evidence at trial (*e.g.*, through summaries or stipulated facts), and any request to bifurcate issues, claims, or defenses.
9. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of dispositive motions, pretrial conference and trial.
10. Trial: The expected length and timing of the trial.
11. Disclosure of Non-party Interested Entities or Persons: Each party must state in the case management statement the contents of its certification by identifying any persons, firms, partnerships, corporations (including parent corporations) or other entities known by the party to have either: (i) a financial interest in the subject matter in controversy or in any party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding.
12. Treatment of Confidential Information
13. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter.

ORDERED:


J. Thomas Rosch
Commissioner

ISSUED: May 14, 2008