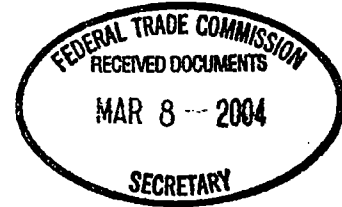


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of)
)
)

ASPEN TECHNOLOGY, INC.,)

Respondent.)

)

Docket No. 9310

SECOND REVISED SCHEDULING ORDER

On March 4, 2004, Respondent filed a motion to amend the scheduling order in the above stated proceeding. Respondent asserts that despite its diligence it cannot effectively meet the deadlines in the September 16, 2003 Scheduling Order, as amended on January 28, 2004. Respondent seeks to extend by four weeks the deadline for Respondent to furnish its expert reports and proposed exhibit list, as well as all subsequent deadlines, which would place the commencement of the hearing on May 26, 2004.

Complaint Counsel filed its opposition to Respondent's motion on March 8, 2004. Complaint Counsel asserts that Respondent has had ample time to conduct discovery and that any lack of preparation results from Respondent's failure to exercise diligence during the discovery phase. Complaint Counsel further asserts that the public interest militates against postponing the proceeding by an additional four weeks.

Complaint Counsel's arguments are unpersuasive. Discovery in this case has been extensive: Respondent has produced over 700 boxes of documents, more than 60 subpoenas *duces tecum* have been issued to third parties, resulting in thousands of additional documents being produced, and over 40 depositions of Respondent's employees and third parties have been conducted. Respondent has demonstrated good cause for revising the scheduling order. In addition, granting the extension for an additional four weeks would accommodate the Court's scheduling conflict with the trial scheduled in Docket 9313 for May 4, 2004.

Accordingly, Respondent's motion is **GRANTED**. With some modifications from the proposal submitted, including providing Complaint Counsel with additional time for its expert

witness reports, witness and exhibit lists, and rebuttal expert reports, the Scheduling Order is revised as follows:

- March 12, 2004 - Complaint Counsel provides expert witness reports.
- March 19, 2004 - Complaint Counsel provides final proposed witness and exhibit lists, including designated testimony to be presented by deposition, copies of all exhibits (except for demonstrative, illustrative or summary exhibits), and a brief summary of the testimony of each witness.
 - Complaint Counsel serves on the Administrative Law Judge final witness and exhibit lists, including designated testimony to be presented by deposition, and a brief summary of the expected testimony of each witness.
- March 20, 2004 - Close of discovery for limited purpose of taking deposition by written questions of four Japanese witnesses.
- March 25, 2004 - Close of discovery for limited purpose of obtaining discovery from HTRI on heat transfer software.
- April 12, 2004 - Respondent's Counsel provides final proposed witness and exhibit lists, including designated testimony to be presented by deposition, copies of all exhibits (except for demonstrative, illustrative or summary exhibits), and a brief summary of the testimony of each witness.
 - Respondent's Counsel serves on the Administrative Law Judge final witness and exhibit lists, including designated testimony to be presented by deposition, and a brief summary of the expected testimony of each witness.
- April 13, 2004 - Parties that intend to offer into evidence at the hearing confidential materials of an opposing party or non-party must provide notice to the opposing party or non-party, pursuant to 16 C.F.R. § 3.45(b).
- April 14, 2004 - Respondent's Counsel provides expert witness reports.
- April 21, 2004 - Deadline for filing motions for summary decision.


- April 23, 2004 - Deadline for filing motions for *in camera* treatment of proposed trial exhibits.
- April 23, 2004 - Deadline for filing motions *in limine* and motions to strike.
- April 27, 2004 - Identify rebuttal expert(s) and provide rebuttal expert report(s). Any such reports are to be limited to rebuttal of matters set forth in the opposing party's expert reports. If material outside the scope of fair rebuttal is presented, the opposing party will have the right to seek appropriate relief (such as striking rebuttal expert reports or seeking leave to submit sur-rebuttal expert reports).
- May 5, 2004 - Complaint Counsel files pretrial brief, not to exceed 50 pages.
- May 7, 2004 - Deadline for depositions of experts (including rebuttal experts).
- May 7, 2004 - Exchange and serve courtesy copy on the Administrative Law Judge objections to final proposed witness lists and exhibit lists. Exchange objections to the designated testimony to be presented by deposition and counter designations.
- May 12, 2004 - Exchange proposed stipulations of law, facts, and authenticity.
- May 12, 2004 - Deadline for filing responses to motions for summary decision.
- May 21, 2004 - File final stipulations of law, facts, and authenticity. Any subsequent stipulations may be filed as agreed by the parties.
- May 21, 2004 - Respondent's Counsel files pretrial brief, not to exceed 50 pages.
- May 24, 2004 - Deadline for Complaint Counsel to file reply pretrial brief, not to exceed 15 pages.
- May 25, 2004 - Final prehearing conference to be held at 10:00 a.m. in room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, N.W., Washington, D.C. The parties are to meet and confer prior to the conference regarding trial logistics and proposed stipulations of law, facts, and authenticity and any designated deposition testimony. Counsel may present any objections to the final proposed witness lists and exhibits, including the designated

testimony to be presented by deposition. Trial exhibits will be admitted or excluded to the extent practicable.

May 26, 2004

- Commencement of Hearing, to begin at 10:00 a.m. in room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, N.W., Washington, D.C.

ORDERED:


Stephen J. McGuire
Chief Administrative Law Judge

Date: March 8, 2004

UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION
BEFORE FEDERAL TRADE COMMISSION

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DOCUMENT PROCESSING

In the Matter of)

CHICAGO BRIDGE & IRON COMPANY N.V.,)

a foreign corporation,)

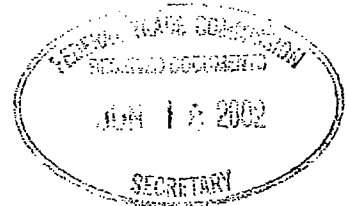
CHICAGO BRIDGE & IRON COMPANY,)

a corporation,)

and)

PITT-DES-MOINES, INC.,)

a corporation.)



Docket No. 9300

ORDER

UPON CONSIDERATION of the Respondents' Motion For A Sixty-Day Extension of Time, filed on June 14, 2002, and being fully advised in the premises,

IT IS HEREBY ORDERED that, because I find that the following extraordinary circumstances exist here, the Rule set forth in Rule of Practice 3.51(a) requiring a decision to be rendered within one year of the filing of the complaint shall be extended by sixty days:


(1) After issuance of the complaint on October 25, 2001, the parties engaged in good faith settlement negotiations. Respondents' received two extensions on the answer date from this Court based on motions made jointly by Respondents and Complaint Counsel, both of whom wished to avoid turning the proceedings adversarial and to conserve litigation expenses when settlement prospects looked realistic. Thus, discovery in this case did not begin until March 2002.

(2) Once settlement negotiations failed, the parties have worked diligently and cooperatively to complete discovery. The parties have completed twenty (20) depositions to date, and have scheduled twenty (20) more within the next three weeks. However, that leaves an additional twenty (20) or more depositions that the parties wish to take before the close of discovery.

(3) On June 7, 2002, Complaint Counsel served a series of discovery requests upon Respondent Chicago Bridge & Iron ("CB&I"). CB&I has stated that it will take it at least two months to respond to these discovery requests.

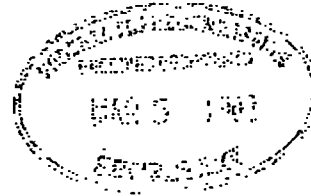
(4) This is a complex case challenging a consummated merger where the Complaint alleges six different product markets, each of which have different customers, competitors, and witnesses. Discovery cannot be completed within the time permitted by the First Revised Scheduling Order. In the interest of having all of the relevant evidence before it, this Court has determined that the parties should be given an opportunity to complete the additional depositions and for Respondents to gather and produce information responsive to Complaint Counsel's June 7th discovery requests.

ORDERED:


James P. Timony
Administrative Law Judge

June 18, 2002

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION



_____)
In the Matter of)
)
MSC.SFTWARE CORPORATION,) Docket No. 9299
a corporation.)
_____)

**ORDER ON RESPONDENT MSC.SFTWARE CORPORATION'S
MOTION TO EXTEND TRIAL DATE**

I.

On February 11, 2002, Respondent MSC.Software Corporation ("MSC") filed a motion to extend the trial date. Complaint Counsel filed an opposition on February 21, 2002. Oral arguments of the parties were heard on February 25, 2002. For the reasons set forth below, MSC's motion is GRANTED IN PART and DENIED IN PART.

II.

MSC's motion seeks an immediate two month extension of the discovery period, the hearing date, and the filing date for the initial decision. MSC's motion also seeks either a six month extension of the discovery period or certification for appeal to the Commission the constitutionality of the application of Commission Rule 3.51(a) to these proceedings.

MSC asserts that there is not enough time remaining before the deadline for the close of fact discovery to conduct adequate discovery it believes that it needs to defend itself in this proceeding. MSC argues that this is an exceedingly complex field, necessitating comprehensive discovery, and that MSC has been hampered in its abilities to discover useful information by discovery tactics employed by Complaint Counsel. MSC asserts that it is prejudiced by the expedited discovery schedule. MSC believes that, as a minimum, a two month extension should be granted immediately, as a stop-gap measure, to allow this matter to proceed in an orderly fashion until the larger question, whether Rule 3.51(a) is unconstitutional as applied in this case, can be resolved.

Commission Rule 3.51(a) states that the Administrative Law Judge shall file an initial decision within one year of the issuance of the administrative complaint, except that the Administrative Law Judge may, upon a finding of extraordinary circumstances, extend the one-year deadline for a period of up to sixty days. 16 C.F.R. § 3.51(a). Such extension, upon its

expiration, may be continued for additional consecutive periods of up to sixty days, provided that each additional period is based upon a finding by the Administrative Law Judge that extraordinary circumstances are still present. *Id.*

MSC asserts that Rule 3.51 is unconstitutional as applied to the facts of this case because the case is too complicated to be tried in one year and that extending the trial schedule in successive two-month extensions is not sufficient to cure the defect, because MSC would be forced to "perennially cut . . . corners in discovery and compromis[e] its defense out of fear that no other extensions will be granted." The relief MSC seeks is a six month extension of the discovery period and hearing date. MSC recognizes that such a request is not consistent with Rule 3.51, but argues that Rule 3.51 is unconstitutional as applied in this case. Accordingly, MSC asks that if it is not granted the six month extension, MSC requests that the Administrative Law Judge certify to the full Commission the issue of whether 3.51(a) is unconstitutional, as applied to this case.

Complaint Counsel opposes all aspects of the relief requested in MSC's motion. Complaint Counsel asserts that this case should proceed in order to promptly restore the competition lost through Respondent's acquisitions of its two rivals. Complaint Counsel argues that Respondent has not established "extraordinary circumstances" to justify a delay in the trial. Complaint Counsel further asserts that there is no valid constitutional challenge to Rule 3.51(a) and no basis for any interlocutory review by the Commission.

III.

The current Scheduling Order, entered into on November 13, 2001, sets March 29, 2002 for the close of fact discovery and May 21, 2002 for the start of the hearing. It contemplates that an initial decision will be filed by October 9, 2002, one year from the filing of the Complaint. Although the parties have already had five months of discovery, MSC has demonstrated that it needs more time to conduct fact discovery. However, MSC has not demonstrated extraordinary circumstances at this time for delaying the filing of the initial decision. A revised Scheduling Order, issued herewith, grants an extension of two months for the close of discovery and an extension of six to eight weeks for most other dates remaining in the Scheduling Order, including the commencement of the hearing. In addition, it allows the parties to file Supplemental Expert Reports, if such supplementation is necessary. However, the Revised Scheduling Order does not contemplate an extension for the issuance of the initial decision, which is still scheduled to be issued by October 9, 2002, within one year from the filing of the Complaint. In this respect, MSC's motion for extension of two months is GRANTED IN PART and DENIED IN PART.

IV.

The plain language of Commission Rule 3.51(a) does not allow the additional relief requested by MSC, a six month extension of the discovery period, the hearing date, and the filing date for the initial decision. Commission Rule 3.51(a) requires an initial decision to be filed

within one year of the filing of the complaint. An extension of up to sixty days may be granted upon a finding of extraordinary circumstances. "Such extension, upon its expiration, may be continued for additional consecutive periods of up to sixty (60) days, provided that each additional period is based upon a finding by the Administrative Law Judge that extraordinary circumstances are still present." 16 C.F.R. § 3.51(a) (emphasis added). The plain language of Rule 3.51 does not permit a six month extension.

In amending Rule 3.51 to its current form, the Commission recognized that "unnecessary delay in adjudications can have a negative impact on the Commission's adjudicatory program . . ." Rules Of Practice Amendments, 61 Fed. Reg. 50640, 50640 (Federal Trade Commission Sept. 26, 1996). "The agency's longstanding policy has been that, to the extent practicable and consistent with requirements of law, adjudicative proceedings shall be conducted expeditiously and that both the Administrative Law Judge and litigants shall make every effort to avoid delay at each stage of a proceeding." *Id.* "In the Commission's view, a one-year deadline for the initial decision is a realistic time frame for most adjudicative proceedings. . . ." *Id.* at 50642.

Because MSC's request for a six month extension would violate the plain language of Rule 3.51 and the express purpose of the rule, MSC's request for a six month extension is DENIED.

V.

MSC's request for interlocutory appeal fails to comport with Commission Rule 3.23(b). Commission Rule 3.23(b) allows review of a ruling by the Administrative Law Judge upon a determination by the Administrative Law Judge: (1) that the ruling involves a controlling question of law or policy as to which there is substantial ground for difference of opinion; and (2) that an immediate appeal from the ruling may materially advance the ultimate termination of the litigation; or (3) subsequent review will be an inadequate remedy. 16 C.F.R. § 3.23(b). Applications for review may be filed within five days after notice of the Administrative Law Judge's determination and shall not exceed fifteen pages, exclusive of attachments. 16 C.F.R. § 3.23(b). Apparently anticipating an adverse ruling on its motion for an extension of six months, MSC has filed a request for interlocutory review. This request is improper. A preemptive request for interlocutory review of a ruling is not allowed.

Moreover, Commission precedent makes it clear that the Commission disfavors interlocutory appeals, especially those seeking review of matters committed to the discretion of the Administrative Law Judge. *See In re Gillette Co.*, 98 F.T.C. 875, 875 (Dec. 1, 1981); *In re Bristol Myers Co.*, 90 F.T.C. 273, 273 (Oct. 7, 1977) (interlocutory appeals disfavored as intrusions on the orderly and expeditious conduct of the adjudicative process). The Commission has vested broad discretion in its Administrative Law Judges in controlling the conduct of adjudicatory proceedings. *In re Kellogg Co.*, 1978 FTC LEXIS 532, *3-4 (Feb. 3, 1978) (denying motion for interlocutory appeal of order requesting modification of scheduling order).

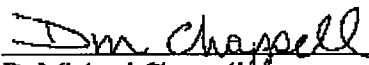
See also *In re Maremont Corp.*, 77 FTC 1654, 1970 FTC LEXIS 260, *13 (Oct. 22, 1977) (denying motion for leave to file interlocutory appeal from order scheduling hearings).

Accordingly, MSC's request for full Commission review of the issue of whether Rule 3.51 is unconstitutional as applied to the facts of this case is DENIED.

VI.

For the above stated reasons, MSC's motion to extend the trial date is GRANTED IN PART and DENIED IN PART. A Revised Scheduling Order is issued herewith.

ORDERED:



D. Michael Chappell
Administrative Law Judge

Date: March 5, 2002

1998 FTC LEXIS 146, *

LEXSEE 1998 FTC LEXIS 146

In the Matter of INTEL CORPORATION, a corporation

DOCKET NO. 9288

Federal Trade Commission

1998 FTC LEXIS 146

REVISED SCHEDULING ORDER

October 5, 1998

ALJ: [*1]

James P. Timony, Administrative Law Judge

ORDER:**REVISED SCHEDULING ORDER**

WHEREAS Respondent Intel Corporation ("Intel") and Complaint Counsel have served various third parties with document subpoenas but have not yet been able to negotiate completely the responses to such subpoenas; and

WHEREAS a number of discovery requests are still being negotiated with third parties and others are being presented to the Court for resolution of outstanding disputes;

WHEREAS resolution of all disputes concerning third-party document subpoenas is required for the parties to conduct meaningful third-party and expert depositions;

WHEREAS the volume of relevant evidence that must be adduced from third parties is unusually great in this case;

WHEREAS both parties require additional time to review the third party evidence and prepare their cases accordingly; and

WHEREAS both Intel and Complaint Counsel believe that, in light of the foregoing, the hearing of this matter, currently scheduled to begin January 12, 1999, should be moved to February 23, 1999;

IT IS ORDERED that the hearing of this matter shall start on February 23, 1999.

IT IS FURTHER ORDERED that the schedule set out herein shall henceforth [*2] supersede the Scheduling Order entered in this proceeding on July 14, 1998 and shall govern further proceedings in this matter:

EVENT	DATE
Last day to file motions to compel regarding responses to document requests issued to the parties	October 21, 1998
Last day to file responses to motions to compel regarding document requests issued to the parties (no reply briefs will be permitted absent an order of the Administrative Law Judge)	October 28, 1998

1998 FTC LEXIS 146, *

EVENT	DATE
Last day for taking Rule 3.33(c) depositions of Respondent Intel	November 12, 1998
Exchange of preliminary rebuttal witness list (excluding experts) with description of proposed testimony	November 13, 1998
Last day to identify expert(s) and exchange of vita, lists of publications and list of matters in which any expert has testified under oath	November 20, 1998
Last day to file motions to compel regarding party interrogatories (except for those related to requests for admission)	November 24, 1998
Last day to file responses to motions to compel regarding party interrogatories (except for those related to requests for admission)	December 1, 1998
Parties exchange Expert Reports and produce or identify documents and other written materials relied upon by the experts in his or her analysis or conclusions	December 7, 1998
Parties exchange Rebuttal Expert Reports and produce or identify documents and other written materials relied upon by the experts in his or her analysis or conclusions	December 24, 1998
Last day to file requests for admission	
Last day to file motions to compel interrogatories related to requests for admission	January 11, 1999
Exchange proposed stipulations of law and fact, stipulations of authenticity	January 20, 1999
Last day to file responses to motions to compel interrogatories related to requests for admission	
Last day for filing motions for summary decision	January 22, 1999
Close of discovery, including experts	January 29, 1999
Exchange final exhibit and witness lists	
File responses to motions for summary decision	February 5, 1999
Exchange responses to proposed stipulations of law and fact, stipulations of authenticity	
File and serve pretrial briefs	February 8, 1999
Meet and confer to resolve issues regarding proposed stipulations of law and fact, stipulations of authenticity	February 9, 1999
File motions in limine	February 11, 1999

EVENT	DATE
File final stipulations of law and fact, final stipulations of authenticity (additional stipulations may be filed as agreed between the parties or as ordered by the Administrative Law Judge)	February 15, 1999
File responses to motions in limine	February 18, 1999
Final prehearing conference	February 19, 1999
Hearing begins [*3]	February 23, 1999

ADDITIONAL PROVISIONS

1. No more than two depositions per side shall be conducted on any day, unless otherwise agreed by the parties or ordered by the Administrative Law Judge.

2. Compliance with the scheduled end of discovery requires that the parties serve subpoenas and discovery requests sufficiently in advance of January 29, 1999 that all responses and objections will be due on or before that date, unless otherwise noted. Unless a subpoena or discovery request specifically identifies each document it seeks (e.g., Widget Corporation's 1997 Annual Report), the return/response date shall be reasonable and at least ten (10) days after the date on which the subpoena or discovery request issues or is served. Additional discovery shall be permitted only for good cause upon application to and approval by the Administrative Law Judge or by agreement of the parties, including any third party discovery in the event that the opposing party fails to disclose the identity of a third party that may have information that may be relevant to this proceeding in a timely manner in response to a discovery request.

3. The preliminary and final witness lists shall represent counsel's good faith [*4] designation of all potential witnesses. Additional witnesses may be added after the submission of the final witness lists under the following circumstances:

- (a) by agreement of counsel with notice to the Administrative Law Judge;
- (b) by order of the Administrative Law Judge upon a showing of good cause;
- (c) if the identity of the person or the relevance of the information to be provided were not reasonably known at the time the final witness lists were served; or
- (d) if needed, to authenticate or provide evidentiary foundation for documents in dispute, with notice to the opposing party and the Administrative Law Judge.

A party seeking to add witnesses shall promptly notify the other parties of its intention to do so. Opposing counsel shall have a reasonable amount of time to subpoena documents from and depose any witness added to the witness list pursuant to this paragraph, even if the discovery takes place during the hearing. Such discovery shall not be subject to the scheduling or notice provisions of paragraph 1 or the minimum return/response period for subpoenas/discovery requests of paragraph 2 unless otherwise ordered by the Administrative Law Judge.

4. The preliminary [*5] and final exhibits list shall represent counsel's good faith designations of all trial exhibits other than demonstrative, illustrative, or summary exhibits. Additional exhibits may be added after the submission of the final lists under the following circumstances:

- (a) by agreement of counsel with notice to the Administrative Law Judge;
- (b) by order of the Administrative Law Judge upon a showing of good cause;
- (c) if the exhibit or the relevance of the information to be provided were not reasonably known at the time the preliminary lists were served; or

(d) where necessary for purposes of impeachment.

5. At the time an expert is first listed as a witness by a party, the party will provide to the other party:

(a) materials fully describing or identifying the background and qualifications of the expert, and all prior cases in which the expert has testified or been deposed; and

(b) transcripts of such testimony in the possession, custody or control of the listing party or the expert.

6. The parties shall provide for each expert witness an Expert Report containing the information required by Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure. The parties shall [*6] cooperate in scheduling the depositions of any rebuttal expert witnesses, whose depositions may be taken, if necessary, during the hearing in this matter.

7. It shall be the responsibility of a party designating an expert witness to ensure that the expert witness is reasonably available for deposition during the six-week period immediately preceding the last date for expert depositions.

8. All papers shall be served by hand or facsimile by 6:00 p.m. on the designated date. Hand deliveries shall be to Complaint Counsel John O'Hara Horsley, Federal Trade Commission, 601 Pennsylvania Ave., N.W., Room S-3303, Washington, D.C. 20580, and to Respondent's counsel Joseph Kattan, Gibson, Dunn & Crutcher LLP, 1050 Connecticut Ave., N.W., Suite 900, Washington, D.C. 20036-5306. All deliveries by facsimile shall be followed promptly by delivery of an original by hand or by U.S. mail, first class postage prepaid. It shall be the obligation of the serving party to ensure that service by facsimile has been effected.

9. All pleadings, motions, supporting briefs, objections to discovery, responses to discovery, exhibit lists, witness lists, privilege lists, master lists of documents provided, expert [*7] reports, and similar material shall be provided in hard copy (paper) and on a 3.5" floppy disk in Microsoft Word, WordPerfect, Microsoft Excel, or Lotus 1-2-3 format if the party or its counsel uses one of these programs to generate the documents described in this paragraph.

10. The procedure for the marking of exhibits is as follows: a one-page exhibit is designated, e.g., CX-1 (for complaint counsel), RX-1 (for respondent's counsel). If there is relevant matter on the back of a page, the exhibit is marked CX-1-A for the front side and CX-1-B for the back side. Capital letters must be used in marking. In the event the document has many pages which are not bound together, each page and each back side of each page containing relevant matter must be numbered CX-1-A through CX-1-Z-1. Items thereafter are numbered CX-1-Z-2, Z-3, Z-4, etc., as necessary.

1999 FTC LEXIS 216, *

LEXSEE 1999 FTC LEXIS 216

In the Matter of INTEL CORPORATION, a corporation

Docket No. 9288

Federal Trade Commission

1999 FTC LEXIS 216

Second Revised Scheduling Order

January 20, 1999

ALJ: [*1]

James P. Timony, Chief Administrative Law Judge

ORDER:

Second Revised Scheduling Order

WHEREAS Respondent Intel Corporation ("Intel") has failed to produce documents in response to Complaint Counsel's First Set of Requests for Production of Documents in accordance with the schedule agreed upon by the parties; and

WHEREAS the delay in the production of documents has caused a delay in the deposition schedule; and

WHEREAS both Intel and Complaint Counsel require additional time to prepare their cases; and

WHEREAS both Intel and Complaint Counsel believe that, in light of the foregoing, the hearing in this matter, currently scheduled to begin February 23, 1999, should be moved to March 9, 1999;

IT IS ORDERED that the hearing of this matter shall start March 9, 1999.

IT IS FURTHER ORDERED that the schedule set out herein shall henceforth supersede the Revised Scheduling Order entered in this proceeding on October 5, 1998 and shall govern further proceedings in this matter:

Event	Date
Last day to file motions to compel interrogatories related to requests for admissions	January 25, 1999
Exchange proposed stipulations of law and fact, stipulations of authenticity	February 3, 1999
Last day to file responses to motions to compel interrogatories related to request for admission	February 5, 1999
Last day for filing motions for summary decision	February 5, 1999

1999 FTC LEXIS 216, *

Event	Date
Close of discovery, including experts	February 12, 1999
Exchange final exhibit and witness lists	
File responses to motions for summary decision	February 19, 1999
Exchange responses to proposed stipulations of law and fact, stipulations of authenticity	
File and serve pretrial briefs	February 22, 1999
Meet and confer to resolve issues regarding proposed stipulations of law and fact, stipulations of authenticity	February 23, 1999
File motions in limine	February 25, 1999
File final stipulations of law and fact, final stipulations of authenticity (additional stipulations may be filed as agreed between the parties or as ordered by the Administrative Law Judge)	March 1, 1999
File responses to motions in limine	March 4, 1999
Final prehearing conference	March 5, 1999
Hearing begins [*2]	March 9, 1999