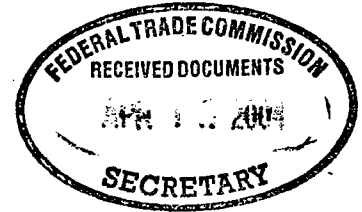


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of)
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PIEDMONT HEALTH ALLIANCE, INC.,)
)
)

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.,)

Respondents.)
)
)

Docket No. 9314

FIRST REVISED SCHEDULING ORDER

On April 12, 2004, the parties filed a joint motion to modify the scheduling order. The motion is GRANTED IN PART and DENIED IN PART. The revised schedule follows:

- May 14, 2004 - Complaint Counsel provides expert witness reports.
- May 21, 2004 - Close of discovery, other than depositions of experts, and discovery for purposes of authenticity and admissibility of exhibits.
- May 24, 2004 - Respondents' Counsel provides expert witness reports.
- June 7, 2004 - Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s), if any. Any such reports are to be limited to rebuttal of matters set forth in Respondents' expert reports. If material outside the scope of fair rebuttal is presented, Respondents will have the right to seek appropriate relief (such as striking Complaint Counsel's rebuttal expert reports or seeking leave to submit sur-rebuttal expert reports on behalf of Respondents).

- June 11, 2004 - Deadline for filing motions for summary decision.
- June 14, 2004 - Deadline for depositions of experts (including rebuttal experts).
- June 17, 2004 - Exchange: (1) final proposed witness lists with a brief summary of the testimony of each witness; (2) final exhibit lists, including designated testimony to be presented by deposition, copies of all exhibits (except for demonstrative, illustrative, or summary exhibits).

Serve courtesy copies on ALJ of: (1) final proposed witness lists with a brief summary of the testimony of each witness; and (2) final exhibit lists.
- June 21, 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).
- June 28, 2004 - Deadline for filing responses, including any opposing affidavits, statement of facts, and brief, to motions for summary decision.
- July 6, 2004 - Deadline for filing motions for *in camera* treatment of proposed trial exhibits.
- July 8, 2004 - Deadline for filing motions *in limine* and motions to strike.
- July 19, 2004 - Parties file pretrial briefs, to include proposed findings of fact and conclusions of law. To the extent possible, findings of fact shall be supported by document citations and/or deposition citations. Conclusions of law shall be supported by legal authority.
- July 26, 2004 - Exchange and serve courtesy copy on ALJ objections to final proposed witness lists and exhibit lists. Exchange objections to the designated testimony to be presented by deposition and counter designations.
- July 30, 2004 - Exchange proposed stipulations of law, facts, and authenticity.
- August 5, 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. Stipulations of law, facts,

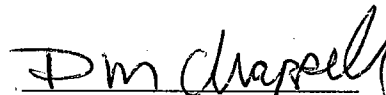
and authenticity shall be prepared as a Joint Exhibit and offered at the final prehearing conference.

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 at this conference to the extent practicable.

August 10, 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.

The "Additional Provisions" set forth in the Scheduling Order entered on January 30, 2004 remain unchanged.

ORDERED:


D. Michael Chappell
Administrative Law Judge

Date: April 15, 2004