



solution to these unanticipated expert witness scheduling problems.

In jointly making this proposal to Your Honor, neither side wishes to prejudice its right to make (or oppose) any future argument or motion concerning scheduling issues or otherwise. Both sides, however, do wish to recognize that the level of cooperation that led to this joint proposal has been extended to other aspects of the litigation. Notwithstanding the issue that precipitated the current proposal, the litigation currently is proceeding at a rapid pace consistent with the Scheduling Order that is now in place and with the Commission's Rules of Practice.

Counsel have no other issues to raise before Your Honor at this time. We do, however, respectfully request a prompt ruling on this motion to ensure that appropriate steps can be made to coordinate compliance with Your Honor's ruling.

Respectfully submitted,

M. Sean Royall
Geoffrey D. Oliver
Malcolm L. Catt

BUREAU OF COMPETITION
FEDERAL TRADE COMMISSION
Washington, D.C. 20580
(202) 326-3663
(202) 326-3496 (facsimile)

COUNSEL SUPPORTING THE COMPLAINT

Gregory P. Stone
Steven M. Perry
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071
(213) 683-9100

COUNSEL FOR RESPONDENTS

Dated: October 30, 2002