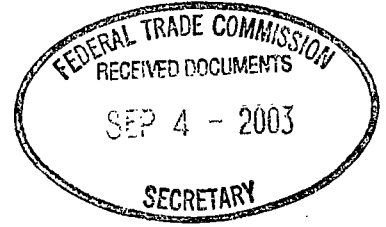


UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of )  
)  
)

KENTUCKY HOUSEHOLD GOODS CARRIERS )  
ASSOCIATION, INC., )  
Respondent. )  
)

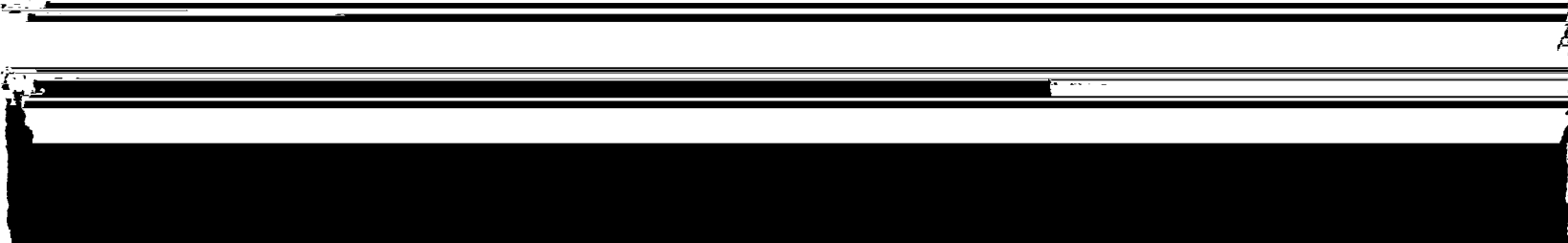
Docket No. 9309

**SCHEDULING ORDER**

October 7, 2003 - Complaint Counsel provides preliminary witness list (not including experts) with description of proposed testimony.

October 14, 2003

Re: Complaint filed by [redacted]



3.24(a)(4), depositions of experts, and discovery for purposes of authenticity and admissibility of exhibits

December 5, 2003

- Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s). Any such reports are to be limited to rebuttal of matters set forth in Respondent's expert reports. If material outside the scope of fair rebuttal is presented, Respondent

- January 13, 2004 - Deadline for filing motions *in limine* and motions to strike.
- January 23, 2004 - Deadline for filing responses to motions *in limine* and motions to strike.
- January 23, 2004 - Deadline for filing responses to motions for *in camera* treatment of proposed trial exhibits.
- January 29, 2004 - Complaint Counsel files pretrial brief, to include proposed findings

fact shall be supported by document citations and/or deposition citations. Conclusions of law shall be supported by legal authority.

- February 4, 2004 - Exchange and serve courtesy copy on ALJ objections to final proposed witness lists and exhibit lists. Exchange objections to the

## ADDITIONAL PROVISIONS

1. Pursuant to Rule 3.21(c)(2), extensions or modifications to these deadlines will be made only upon a showing of good cause.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

At the time an expert report is produced, the listing party will provide to the other party all documents and other written materials relied upon by the expert in formulating an opinion in this case.

Each expert report shall include the subject matter on which the expert is expected to testify and the substance of the facts and opinion to which the expert is expected to testify and a summary of the grounds of each opinion.

11. Applications for the issuance of subpoenas commanding a person to attend and give testimony at the adjudicative hearing must comply with 16 C.F.R. § 3.34, must demonstrate that the subject is located in the United States, and must be served on opposing counsel.

12. Witnesses shall not testify to a matter unless evidence is introduced sufficient to support a finding that the witness has personal knowledge of the matter.

13. Fact witnesses shall not be allowed to provide expert opinions.

14. Properly admitted deposition testimony is part of the record and may not be read in open court. Videotape deposition excerpts that have been admitted in evidence may be presented in open court.

15. Demonstrative, illustrative or summary exhibits (other than those prepared for cross-examination) shall be supplied to opposing counsel no later than 24 hours prior to the day that they are to be offered at trial.

All exhibit numbers must be accounted for, even if a particular number is not actually used at trial. If a party selects certain, but not all, documents that it previously designated as deposition exhibits, the party must indicate that certain numbers were not used in the numbering process for designating trial exhibits. For example, if Complaint Counsel decided to not introduce at trial documents previously marked at deposition as exhibits CX-2, CX-4, and CX-6, Complaint Counsel's list of exhibits would begin CX-1, CX-3, and CX-5. This method of numbering exhibits for trial is acceptable, as long as the party also prepares a list of its exhibits indicating that CX-2, CX-4, and CX-6 were never designated as trial exhibits. Using this example, in preparing the set of original exhibits to give to the court reporter, Complaint Counsel must indicate that CX-2, CX-4, and CX-6 were never designated as trial exhibits by inserting in their place a piece of paper or tab indicating the appropriate number

they intend to introduce at trial. Counsel will also be required to give *the originals* of exhibits to the court reporter, which the court reporter will keep.