

interrogatories and subpoenas *duces tecum*, except for discovery for purposes of authenticity and admissibility of exhibits

April 6, 2004

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Respondents' Counsel provides revised witness lists, including

testimony.

April 30, 2004

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Complaint Counsel provides expert witness reports.

May 3, 2004

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Close of discovery, other than depositions of experts, and discovery

June 25, 2004

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Deadline for filing motions for *in camera* treatment of proposed trial exhibits.

July 8, 2004

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Parties file pretrial briefs, to include proposed findings of fact and conclusions of law. To the extent possible, findings of fact shall be

designated date. Unless requested, the parties agree to provide each other promptly, upon request, with

WordPerfect or Word. Unless requested by the Administrative Law Judge, the parties shall not serve courtesy copies on the Administrative Law Judge of any papers (including discovery requests and responses) that are not required to be filed with the Office of the Secretary. *See* Commission Rules 3.31(b), 3.35, 3.37.

Deliveries shall be as follows:

For Complaint Counsel:

John S. Martin, Esq.
David M. Narrow, Esq.

in good faith and are not able to resolve their dispute.

6. The parties are limited to 25 document requests, 25 interrogatories, and 50 requests for admission, except that there shall be no limit on the number of requests for admission for authentication and admissibility of exhibits. There is no limit to the number of sets of discovery requests the parties may issue, so long as the total number of each type of discovery request, including all subparts, does not exceed these limits. Additional discovery may be permitted only for good cause upon application to and approval by the Administrative Law Judge.

7. Responses and objections to document requests and interrogatories shall be due within 30 days of service, unless the parties agree otherwise. Responses and objections to requests for admission shall be due within 10 days of service, unless the parties agree otherwise. Each response and/or objection to each discovery request shall be preceded by the specific discovery request to which the answer pertains.

8. The deposition of any person may be recorded by videotape, provided that the deposing party notifies the deponent and all parties of its intention to record the deposition by videotape at ~~least five days in advance of the deposition~~

9. ~~The parties shall serve upon one another, at the time of issuance, copies of all subpoenas~~

12. At the time an expert is first listed as a witness by a party, the listing party will provide

(a) materials fully describing or identifying the background and qualifications of the expert, all publications authored by the expert within the preceding ten years, and all

2000) and 2000 FTC LEXIS 138 (Sept. 19, 2000). Motions also must be supported by a declaration or affidavit by a person qualified to explain the confidential nature of the documents.

20. Complaint Counsel's exhibits shall bear the designation CX and Respondents' exhibits

shall bear the designation DX. Both sides shall file the contents of each exhibit with a cover