

16 C.F.R. § 3.46 has express requirements for proposed findings and conclusions of law. These requirements shall be followed.

Do not cite to testimony for the truth of the matter asserted if the testimony was admitted over objection for a purpose other than for the truth of the matter asserted. If such testimony is cited, the party must indicate in its brief or proposed findings that the testimony is cited for a

purpose other than for its truth of the matter asserted

Do not cite to documents that are not in evidence, documents that have been withdrawn, or documents that have been rejected.¹

Do not cite to demonstrative exhibits as substantive evidence.

Do not cite to an offer of proof or testimony or documents that were elicited on an offer of proof.

Violations of the requirements of this Order should be pointed out by opposing parties.

be used merely to bolster arguments made in the opening post trial briefs.

Reply briefs shall reply to the arguments in the same order as the arguments were presented by the opposing party in its opening brief.

Reply findings of fact shall set forth the opposing party's proposed findings of fact.