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EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FEDERAL TRADE COMMISSION and :
COMMONWEALTH OF PENNSYLVANIA, :
Plaintiffs :
vs. : Case No. 1:15-CV-02362
(Judge Jones)
PENN STATE HERSHEY MEDICAL :
CENTER and PINNACLEHEALTH :
SYSTEM, :
Defendants :

TRANSCRIPT OF PRELIMINARY INJUNCTION PROCEEDINGS
BEFORE THE HONORABLE JOHN E. JONES, III
UNITED STATES DISTRICT COURT JUDGE
APRIL 15, 2016; 9:01 A.M.
HARRISBURG, PENNSYLVANIA

MORNING AND AFTERNOON SESSIONS
PAGES 804 THROUGH 996

Lori A. Shuey, RMR, CRR
Federal Official Court Reporter
United States Courthouse
228 Walnut Street, P.O. Box 983

1 THE COURT: Because be careful.

2 THE WITNESS: So the question is asking why I don't
3 use the root mean squared error term that Ms. McEvoy was just
4 asking about, and that's a single numerical metric of assessing
5 accuracy.

6 I thought it was more informative to use a data
7 visualization approach that allowed us to really see where our
8 respective models were proving to be accurate versus inaccurate
9 and the ways in which we were accurate or not so accurate.

10 MR. PLATT: I would have done the same thing. Thank
11 you very much.

12 THE COURT: I bet you would. I assume no recross.

13 MS. McEVOY: Extremely tempting, Your Honor, but no.

14 THE COURT: We're finished with Dr. Wilson. You can
15 step down, sir. Thank you very much.

16 THE WITNESS: Thank you very much.

17 THE COURT: Any other rebuttal?

18 MR. EFRON: No, Your Honor.

19 THE COURT: You rest?

20 MR. EFRON: Yes.

21 THE COURT: All right. Let me say a couple things as
22 we wrap up. And we have wrapped up the testimony.

1 and we will ask for accelerated submissions, the plaintiffs'
2 by -- I believe it's the 25th, I think, of April, which is the
3 Monday following this coming Monday, and then we'll give an
4 equal amount of time, unless filed sooner, for the defense, a
5 submission, no reply. We just don't have time for that.

6 It is my intention to and I'll make every effort to
7 render a determination by the start of the -- the scheduled
8 start of the administrative proceeding. I understand that
9 that's important to everybody, and so I'm going to make every
10 attempt to do that.

11 I want to say publicly that I've been living with this
12 case not quite as long as all of you have, but for quite some
13 time. And it is important to note that counsel in this case
14 have conducted themselves with the highest degree of
15 professionalism, each and every one of you.

16 It was a pleasure, it is a pleasure having you on my
17 docket. The collaborative, collegial spirit in a legal world
18 where you don't see that, unfortunately, every day was really
19 heartening to me to watch.

20 This is a very, very important case from the public
21 standpoint, from the standpoint of the hospitals. I understand
22 that. It falls to me to make a very difficult decision. But
23 this case demonstrates what I have seen in some of the
24 toughest, most contentious cases, which is that lawyers can
25 fight hard and professionally -- and you have, and you will,

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

In the Matter of

CERTIFICATE OF SERVICE

I

Notice of Electronic Service

I hereby certify that on May 04, 2016, I filed an electronic copy of the foregoing Joint Motion to Amend Scheduling Order, with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on May 04, 2016, I served via E-Service an electronic copy of the foregoing Joint Motion to Amend Scheduling Order, upon:

William Efron
Regional Director
Federal Trade Commission
wefron@ftc.gov
Complaint

Ryan Harsch
Attorney
Federal Trade Commission
rharsch@ftc.gov
Complaint

Jared Nagley
Attorney
Federal Trade Commission
jnagley@ftc.gov
Complaint

Jonathan Platt
Attorney
Federal Trade Commission
jplatt@ftc.gov
Complaint

Gerald Stein
Attorney
Federal Trade Commission
gstein@ftc.gov
Complaint

Geralyn Trujillo
Attorney
Federal Trade Commission
gtrujillo@ftc.gov
Complaint

Nancy Turnblacer
Attorney
Federal Trade Commission
nturnblacer@ftc.gov

Complaint

Theodore Zang
Attorney
Federal Trade Commission
tzang@ftc.gov
Complaint

Adrian Wager-Zito
JONES DAY
adrianwagerzito@jonesday.com
Respondent

Toby Singer
JONES DAY
tgsinger@jonesday.com
Respondent

Kenneth Field
JONES DAY
kfield@jonesday.com
Respondent

Julia McEvoy
JONES DAY
jmcevoy@jonesday.com
Respondent

William Coglianese
JONES DAY
wcoglianese@jonesday.com
Respondent

Christopher Thatch
JONES DAY
cthatch@jonesday.com
Respondent

Peggy Bayer Femenella
Attorney
Federal Trade Commission
pbayer@ftc.gov
Complaint

James W. Frost
Attorney
Federal Trade Commission
jfrost@ftc.gov
Complaint

Lynda Lao
Attorney
Federal Trade Commission
llao1@ftc.gov
Complaint

William Coglianese
Attorney