

For the above stated reasons, Respondents' Motion is GRANTED.

The remaining deadlines are amended as follows¹:

December 19, 2023 – Final prehearing conference, to begin at 1:00 p.m. ET.

December 20, 2023 – Commencement of hearing and trial on the merits, limited to opening statements, to begin at 10:00 a.m. ET.

December 29, 2023 – Parties that intend to offer confidential materials of an opposing party or non-party as evidence at the hearing must provide notice to the opposing party or non-party, pursuant to 16 C.F.R. § 3.45(b).

January 3, 2024 – Parties exchange final proposed witness and exhibit lists. The parties provide courtesy copies to the ALJ of their final proposed witness and exhibit lists, the basis of admissibility for each proposed exhibit, and a brief summary of the testimony of each witness, including expert witnesses.

January 3, 2024 – Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s).

January 4, 2024 – Exchange and serve courtesy copy on ALJ of objections to final proposed witness lists and exhibit lists.

January 5, 2024 – Deadline for depositions of experts (including rebuttal experts) and exchange of expert related exhibits.

January 8, 2024 – Complaint Counsel files pretrial brief supported by legal authority.

January 8, 2024 – Deadline for filing motions *in limine* to preclude admission of evidence.

January 8, 2024 – Deadline for filing motions for *in camera* treatment of proposed trial exhibits.

January 12, 2024 – Deadline for filing responses to motions *in limine* to preclude admission of evidence.

January 12, 2024 – Deadline for filing responses to motions for *in camera* treatment of proposed trial exhibits.

January 12, 2024 – Exchange proposed stipulations of law, facts, and authenticity.

¹ All other provisions of the August 7, 2023 Scheduling Order remain in effect.

PUBLIC

January 16, 2024 – Respondents’ Counsel files pretrial brief supported by legal authority.

January 18, 2024 – Evidentiary hearing resumes with witness testimony to begin at 9:45 a.m. ET.

ORDERED:

Handwritten signature of D. Michael Chappell in black ink, written in a cursive style.

D. Michael Chappell
Chief Administrative Law Judge

Date: December 5, 2023