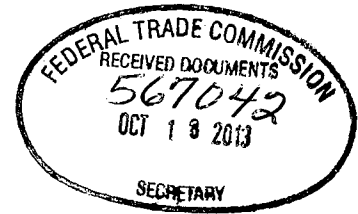


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

ORIGINAL



In the Matter of)
)
Ardagh Group S.A.,)
a public limited liability company, and)
)
Saint-Gobain Containers, Inc.,)
a corporation, and)
)
Compagnie de Saint-Gobain,)
a corporation,)
Respondents.)

DOCKET NO. 9356

REVISED SCHEDULING ORDER

In accordance with the September 30, 2013 Commission Order and due to the partial shutdown of the federal government from October 1-16, 2013, the remaining dates in the August 2, 2013 Scheduling Order are hereby revised as follows:

October 29, 2013 - Deadline for Complaint Counsel to provide expert witness reports.

November 1, 2013 - Complaint Counsel provides to Respondents' Counsel its final proposed witness and exhibit lists, including depositions or designated portions thereof, copies of all exhibits (except for demonstrative, illustrative or summary exhibits and expert related exhibits), Complaint Counsel's basis of admissibility for each proposed exhibit, and a brief summary of the testimony of each witness.

Complaint Counsel serves courtesy copies on ALJ of its final proposed witness and exhibit lists, its basis of admissibility for each proposed exhibit, and a brief summary of the testimony of each witness, including its expert witnesses.

November 15, 2013 - Deadline for Respondents' Counsel to provide expert witness reports. Respondents' expert report shall include (without

limitation) rebuttal, if any, to Complaint Counsel's expert witness report(s).

- November 18, 2013 - Respondents' Counsel provides to Complaint Counsel its final proposed witness and exhibit lists, including depositions or designated portions thereof, copies of all exhibits (except for demonstrative, illustrative or summary exhibits and expert related exhibits), Respondents' basis of admissibility for each proposed exhibit, and a brief summary of the testimony of each witness.

Respondents' Counsel serves courtesy copies on ALJ its final proposed witness and exhibit lists, its basis of admissibility for each proposed exhibit, and a brief summary of the testimony of each witness, including its expert witnesses.
- November 19, 2013 - 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). See Additional Provision 7.
- November 25, 2013 - Exchange deposition transcript counter-designations.
- November 26, 2013 - 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 Respondents' expert reports. If material outside the scope of fair rebuttal is presented, Respondents will have the right to seek appropriate relief (such as striking Complaint Counsel's rebuttal expert reports or seeking leave to submit surrebuttal expert reports on behalf of Respondents).
- November 26, 2013 - Deadline for filing motions for *in camera* treatment of proposed trial exhibits.
- December 3, 2013 - Deadline for depositions of experts (including rebuttal experts) and exchange of expert related exhibits.
- December 4, 2013 - Deadline for filing motions *in limine* to preclude admission of evidence. See Additional Provision 9.
- December 4, 2013 - Deadline for filing responses to motions for *in camera* treatment of proposed trial exhibits.
- December 5, 2013 - Deadline for filing motions for *in camera* treatment of proposed expert related exhibits.

- December 11, 2013 - Deadline for filing responses to motions *in limine* to preclude admissions of evidence.
- December 11, 2013 - Exchange and serve courtesy copy on ALJ objections to final proposed witness lists and exhibit lists.
- December 11, 2013 - Exchange objections to the designated testimony to be presented by deposition and counter-designations.
- December 12, 2013 - Deadline for filing responses to motions for *in camera* treatment of proposed expert related exhibits.
- December 12, 2013 - Complaint Counsel files pretrial brief supported by legal authority.
- December 12, 2013 - Exchange proposed stipulations of law, facts, and authenticity.
- December 13, 2013 - Respondents' Counsel files pretrial brief supported by legal authority.
- December 16, 2013 - File final stipulations of law, facts, and authenticity. Any subsequent stipulations may be offered as agreed by the parties.
- December 17, 2013 - Final prehearing conference to begin at 10:00 a.m. in FTC Courtroom, Room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

The parties are to meet and confer prior to the conference regarding trial logistics and proposed stipulations of law, facts, and authenticity of exhibits and any designated deposition testimony. To the extent the parties stipulate to certain issues, the parties shall prepare a Joint Exhibit which lists the agreed stipulations.

Counsel may present any objections to the final proposed witness lists and exhibits, including to any designated deposition testimony. Trial exhibits will be admitted or excluded to the extent practicable. To the extent the parties agree to the admission of each other's exhibits, the parties shall prepare a Joint Exhibit which lists the exhibits to which neither side objects. Any Joint Exhibit will be signed by each party with no signature for the judge required.

- December 19, 2013 - Commencement of Hearing, to begin at 10:00 a.m. in FTC Courtroom, Room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

All Additional Provisions to the August 2, 2013 Scheduling Order remain in effect.

ORDERED:

Dm Chappell
D. Michael Chappell
Chief Administrative Law Judge

Date: October 18, 2013