

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

In the Matter of)	
)	
INTEL CORPORATION,)	DOCKET NO. 9341
Respondent.)	
)	

**ORDER GRANTING JOINT MOTION
TO AMEND THE SCHEDULING ORDER**

I.

On April 29, 2010, Complaint Counsel and Respondent Intel Corporation (“Respondent”) submitted a joint motion to amend the Scheduling Order dated January 14, 2010. The parties propose two categories of changes to the current schedule, relating to the deadline of written discovery requests and deadlines for expert reports and depositions and motions *in limine* relating to experts. The changes do not affect the date for the Commencement of the Hearing on September 15, 2010.

Based upon the representations made by the parties, the Joint Motion is GRANTED. It is hereby ORDERED that the Scheduling Order dated January 14, 2010 is amended. The remaining dates in the Scheduling Order are set forth below. All additional provisions in the January 14, 2010 Scheduling Order remain in effect.

May 12, 2010	Deadline for issuing document requests, interrogatories, and subpoenas <i>duces tecum</i> except for discovery for purposes of authenticity and admissibility of exhibits.
June 1, 2010	Deadline for issuing requests for admissions except for discovery for purposes of authenticity and admissibility of exhibits.
June 15, 2010	Close of Discovery, other than discovery permitted under Rule 3.24(a)(4), depositions of experts, and discovery for purposes of authenticity and admissibility of exhibits.
	Counsel provides a courtesy copy to the ALJ of each party’s answers to interrogatories and responses to requests for admissions.

- June 15, 2010 Deadline for filing “[m]otions to dismiss filed before the evidentiary hearing, motions to strike, and motions for summary decision” pursuant to Rule 3.22(a).
- June 29, 2010 Deadline for Complaint Counsel to provide Respondent’s Counsel with Complaint Counsel’s expert witness reports. Complaint Counsel to provide a courtesy copy to the ALJ.
- July 20, 2010 Complaint Counsel provides to Respondent’s Counsel its final proposed witness and exhibit lists, including designated testimony to be presented by deposition, 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 a courtesy copy on the 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. In addition, Complaint Counsel serves a courtesy copy of testimony designated to be submitted by deposition.
- July 27, 2010 Deadline for Respondent’s Counsel to provide Complaint Counsel with Respondent’s expert witness reports. Respondent’s Counsel to provide a courtesy copy to the ALJ.
- July 27, 2010 Respondent’s Counsel provides to Complaint Counsel its final proposed witness and exhibit lists, including designated testimony to be presented by deposition, and copies of all exhibits (except for demonstrative, illustrative or summary exhibits and expert related exhibits), Respondent’s basis for admissibility for each proposed exhibit, and a brief summary of the testimony of each witness.
- Respondent’s Counsel serves a courtesy copy on the 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. In addition, Respondent’s Counsel serves a courtesy copy of testimony designated to be submitted by deposition.

July 27, 2010	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).
August 3, 2010	Parties exchange deposition transcript counter-designations and serve courtesy copies of counter-designated deposition testimony on the ALJ.
August 10, 2010	Deadline for filing motions <i>in limine</i> (except as to experts).
August 10, 2010	Deadline for filing motions for <i>in camera</i> treatment of proposed trial exhibits.
August 16, 2010	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 Respondent's expert reports. If material outside the scope of fair rebuttal is presented, Respondents will have the right to seek appropriate relief (such as filing a motion <i>in limine</i> to preclude all or part of Complaint Counsel's rebuttal expert report or seeking leave to submit sur-rebuttal expert reports on behalf of Respondent.
August 17, 2010	Deadline for filing responses to motions <i>in limine</i> (except as to experts).
August 17, 2010	Deadline for filing responses to motions for <i>in camera</i> treatment of proposed trial exhibits.
August 20, 2010	Complaint Counsel files pretrial brief supported by legal authority.
August 24, 2010	Deadline for depositions of experts (including rebuttal experts) and exchange of expert related exhibits.
August 25, 2010	Deadline for filing motions <i>in limine</i> as to experts.
August 30, 2010	Deadline for filing responses to motions <i>in limine</i> as to experts.
August 30, 2010	Parties exchange and serve courtesy copies on the ALJ of objections to final proposed witness lists and exhibit lists and objections to the designated testimony and counter designated testimony to be presented by deposition.

August 31, 2010 Respondent's Counsel files pretrial brief supported by legal authority.

September 3, 2010 Exchange proposed stipulations of law, facts, and authenticity.

September 10, 2010 File final stipulations of law, facts, and authenticity. Any subsequent stipulations may be offered as agreed by the parties.


September 14, 2010 Final prehearing conference to begin at 10:00 a.m. in 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 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-to stipulations.

Counsel may present any objections to the final proposed witness lists and exhibits, including the designated testimony to be presented by deposition. 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.

September 15, 2010 Commencement of Hearing, to begin at 10:00 a.m. in room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: April 30, 2010