

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



_____)
In the Matter of)
)
RAG-Stiftung,)
)
Evonik Industries AG,)
)
Evonik Corporation,)
)
Evonik International Holding B.V.,)
)
One Equity Partners Secondary Fund L.P.,)
)
One Equity Partners V, L.P.,)
)
Lexington Capital Partners VII (AIVI), L.P.,)
)
PeroxyChem Holding Company LLC,)
)
PeroxyChem Holdings, L.P.,)
)
PeroxyChem Holdings LLC,)
)
PeroxyChem LLC,)
)
PeroxyChem Cooperatief U.A.,)
)
Respondents.)
_____)

Docket No. 9384

REVISED SCHEDULING ORDER

By Order issued January 2, 2020, the Commission granted the parties' Joint Expedited Motion for Continuance of Administrative Proceeding and rescheduled the evidentiary hearing to 10:00 a.m. on March 11, 2020. Accordingly, all remaining pre-hearing deadlines are revised as set forth below.

February 26, 2020 - Deadline for filing motions *in limine* to preclude admission

of evidence.

- February 26, 2020 - Deadline for filing motions for *in camera* treatment of proposed trial exhibits.
- March 4, 2020 - Deadline for filing responses to motions *in limine* to preclude admission of evidence.
- March 4, 2020 - Deadline for filing responses to motions for *in camera* treatment of proposed trial exhibits.
- March 4, 2020 - Deadline for Complaint Counsel and Respondents' Counsel to exchange and provide a courtesy copy to the ALJ of their objections to final proposed witness lists and exhibit lists. The parties are directed to review the Commission's Rules on admissibility of evidence before filing objections to exhibits.
- March 5, 2020 - Complaint Counsel files pretrial brief supported by legal authority.
- March 6, 2020 - Deadline for Complaint Counsel and Respondents' Counsel to exchange proposed stipulations of law, facts, and authenticity.
- March 9, 2020 - Respondents' Counsel files pretrial brief supported by legal authority.
- March 10, 2020 - Final prehearing conference to begin at 1:00 p.m. in the FTC Courtroom, Room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

The parties shall meet and confer prior to the prehearing conference regarding trial logistics and proposed stipulations of law, facts, and authenticity of exhibits. To the extent the parties have agreed to stipulate to any issues of law, facts, and/or authenticity of exhibits, the parties shall prepare a list of such stipulations and submit a copy of the stipulations to the ALJ one business day prior to the conference. At the conference, the parties' list of stipulations shall be marked as "JX1" and signed by each party, and the list shall be offered into evidence as a joint exhibit. No signature by the ALJ is required. Any subsequent stipulations may be offered as agreed by the parties.

Counsel may present any objections to the final proposed witness lists and exhibits. All 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 list identifying each exhibit to which admissibility is agreed, marked

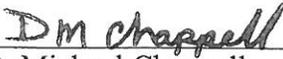
as "JX2" and signed by each party, which list shall be offered into evidence as a joint exhibit. No signature by the ALJ is required.

March 11, 2020

-

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

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: January 10, 2020

Notice of Electronic Service

I hereby certify that on January 10, 2020, I filed an electronic copy of the foregoing Revised 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 January 10, 2020, I served via E-Service an electronic copy of the foregoing Revised Scheduling Order, upon:

Amy Dobrzynski
Attorney
Federal Trade Commission
adobrzynski@ftc.gov
Complaint

Cecelia Waldeck
Attorney
Federal Trade Commission
cwaldeck@ftc.gov
Complaint

Daniel Matheson
Attorney
Federal Trade Commission
dmatheson@ftc.gov
Complaint

Dominic Vote
Attorney
Federal Trade Commission
dvote@ftc.gov
Complaint

Frances Anne Johnson
Attorney
Federal Trade Commission
fjohnson@ftc.gov
Complaint

James Rhilinger
Attorney
Federal Trade Commission
jrhilinger@ftc.gov
Complaint

Michael Blevins
Attorney
Federal Trade Commission
mblevins@ftc.gov

Complaint

Michael Lovinger
Attorney
Federal Trade Commission
mlovinger@ftc.gov
Complaint

Sean Hughto
Attorney
Federal Trade Commission
shughto@ftc.gov
Complaint

Stephen Santulli
Attorney
Federal Trade Commission
ssantulli@ftc.gov
Complaint

Steven Dahm
Attorney
Federal Trade Commission
sdahm@ftc.gov
Complaint

Eric Mahr
Partner
Freshfields Bruckhaus Deringer US LLP
eric.mahr@freshfields.com
Respondent

Andrew Ewalt
Partner
Freshfields Bruckhaus Deringer US LLP
andrew.ewalt@freshfields.com
Respondent

Justin Stewart-Teitelbaum
Counsel
Freshfields Bruckhaus Deringer US LLP
justin.s-t@freshfields.com
Respondent

Mike Cowie
Dechert LLP
mike.cowie@dechert.com
Respondent

James Fishkin
Partner
Dechert LLP
James.Fishkin@dechert.com
Respondent

Shari Ross Lahlou
Dechert LLP
shari.lahlou@dechert.com
Respondent

Brian Rafkin
Dechert LLP
brian.rafkin@dechert.com
Respondent

Anna Aryankalayil
Dechert LLP
anna.aryankalayil@dechert.com
Respondent

Blair Kuykendall
Dechert LLP
blair.kuykendall@dechert.com
Respondent

Laura Onken
Senior Associate
Freshfields Bruckhaus Deringer US LLP
laura.onken@freshfields.com
Respondent

Lynnette Pelzer
Attorney