

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

_____)	
In the Matter of)	
)	
Hackensack Meridian Health, Inc.,)	
a corporation,)	Docket No. 9399
)	
and)	
)	
Englewood Healthcare Foundation,)	
a corporation,)	
)	
Respondents.)	
_____)	

**ORDER RESETTING FINAL PREHEARING CONFERENCE
AND MODIFYING ADDITIONAL PROVISIONS**

The final prehearing conference, previously scheduled for June 11, 2021, is reset for June 14, 2021, at 2:00 p.m. Eastern Time and will take place virtually via video conference. The evidentiary hearing in this case, scheduled to commence at 10:00 a.m. Eastern Time, June 15, 2021, will also take place virtually via video conference.

To better facilitate a remote trial, the Additional Provisions of the Scheduling Order issued on December 28, 2020, are modified as set forth below.

(1) Additional Provision 23 is modified as follows:

Properly admitted deposition testimony, including discovery depositions or trial depositions, and whether or not recorded by video, and properly admitted investigational hearing transcripts, are part of the record. Unless permitted by the Administrative Law Judge with three days' prior approval, such depositions or excerpts of depositions shall not be read or played during the evidentiary hearing in order to provide that testimony, but may be used in the examination of live witnesses.

(2) The following Additional Provision is added as Additional Provision 28:

Due to ongoing public health concerns related to COVID-19, the evidentiary hearing in this matter will be conducted remotely by video conference. To accommodate safety or other concerns of witnesses and attorneys and staff, the parties may, in advance of the hearing, take trial depositions of fact witnesses who had been deposed

before the close of discovery and to submit such prior testimony (as video and/or transcript of deposition testimony) as an exhibit in lieu of presenting the fact witness' testimony via live video at trial. Although the parties may submit trial depositions in lieu of live video testimony at trial for all fact witnesses in the case, you may choose to do trial depositions for fewer than all fact witnesses.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: May 7, 2021