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

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ORDER SETTING SCHEDULING CONFERENCE

Pursuant to Commission Rule 3.21(b), a scheduling conference will be held on March 21, 2024, at 11:00 a.m., Eastern Time. The scheduling conference will be conducted in person at Federal Trade Commission, 600 Pennsylvania Avenue, NW, Room 532, Washington, D.C. 20580. This conference is open to the public and will be stenographically recorded.

The parties are directed to confer in advance of the scheduling conference and to comply with Commission Rules 3.21(a) and (b). Specifically, the parties shall be prepared to address:

- (1) their factual and legal theories;
- (2) the current status of any pending motions and any motions anticipated by the parties;
- (3) a schedule of proceedings that is consistent with the evidentiary hearing date;
- (4) steps taken to preserve evidence relevant to the issues raised by the claims and defenses;
- (5) the scope of anticipated discovery, any limitations on discovery, and a proposed discovery plan, including the disclosure of electronically stored information;
- (6) issues that can be narrowed by agreement or by motion, suggestions to expedite the presentation of evidence at trial, and any request to bifurcate issues, claims or defenses; and
- (7) other possible agreements or steps that may aid in the just and expeditious disposition of the proceeding and to avoid unnecessary cost.

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Each side will be allowed fifteen minutes to present their factual and legal theories.

The proposed Scheduling Order will be provided to the parties in advance of the scheduling conference.

ORDERED: Jay L. Himes

Jay L. Himes

Administrative Law Judge

Date: March 15, 2024