

Interlocutory Orders, etc.

IN THE MATTER OF
EQUITABLE RESOURCES, INC. ET AL.

Docket No. 9322 – Order, April 13, 2007

ORDER SETTING SCHEDULING CONFERENCE

The parties are hereby notified that a Scheduling Conference, pursuant to Commission Rule 3.21, 16 C.F.R. § 3.21, will be held in this case on Friday, April 20, 2007 at 2:00 p.m., in the Federal Trade Commission's Hearing Room 532, located at 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

IT IS FURTHER ORDERED THAT before appearing at the conference, counsel for the parties shall meet and confer about the substance of the action and the most expeditious means of resolving this litigation. In addition, counsel for the parties are instructed to file with the Commission a joint case management statement, by Thursday, April 19, 2007 at 5:00 p.m., that includes the following information:

1. Facts: A brief chronology of the facts and a statement of the principal factual issues in dispute.
2. Legal Issues: A brief statement, without extended legal argument, of the disputed points of law, including reference to specific statutes and decisions.
3. Motions: The current status of pending motions. In addition, counsel shall address any anticipated motions, including but not limited to motions respecting Respondents' defenses challenging the legal viability of the pleaded relevant market and of the Complaint.

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4. Amendment of Pleadings: The extent to which parties, claims, or defenses are expected to be added or dismissed and a proposed deadline for amending the pleadings.
5. Evidence Preservation: Steps taken to preserve evidence relevant to the issues reasonably evident in this action, including interdiction of any document-destruction program and any ongoing erasures of e-mails, voice mails, and other electronically-recorded material.
6. Discovery: The scope of anticipated discovery, any proposed limitations of discovery, and a proposed discovery plan, including, without limitation, any issues relating to disclosure or discovery of electronically stored information.
7. Related Cases: Any related cases or proceedings pending before another court or administrative body.
8. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of dispositive motions, pretrial conference and the hearing.
9. Hearing: The expected length and timing of the hearing.
10. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter.

By the Commission.

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ORDER DESIGNATING PRESIDING OFFICIAL

Pursuant to Commission Rule 3.42, 16 C.P.R. § 3.42, and the authority vested in the Federal Trade Commission,

IT IS ORDERED that J. Thomas Rosch, a Commissioner of the Federal Trade Commission, be, and he hereby is, designated and appointed to preside over the Scheduling Conference set for April 20, 2007.

By the Commission.