

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

)	
)	
UNITED STATES OF AMERICA,)	CA 98-475 JJF
)	
Plaintiff,)	
)	
vs.)	
)	
FEDERATION OF PHYSICIANS AND)	
DENTISTS, INC.,)	
)	
Defendant.)	
)	
)	

STIPULATED SCHEDULING ORDER

Pursuant to the Court’s instructions at the scheduling conference held on February 16, 1999, both parties have consulted and agreed upon the following schedule and provisions regarding discovery in this case, and both parties respectfully request the Court to enter this Stipulated Scheduling Order pursuant to Fed. R. Civ. P. 16(e):

A. SCHEDULE

- | | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| From the present | Discovery between the parties and of all non-parties continues |
| April 5, 1999 | Defendant shall respond to plaintiff’s February 24, 1999, letter to the Court, outlining issues to be heard at the April 20, 1999, hearing |
| April 16, 1999 | The parties shall submit letters outlining any further issues to be resolved at the April 20, 1999 hearing |

April 20, 1999 Discovery dispute hearing will be held
12:00 p.m.

June 1, 1999	Deadline for filing of motions to amend the pleadings
October 15, 1999	All discovery, except expert witness discovery, ends
November 1, 1999	Deadline for service on opposing counsel of expert reports, prepared in accordance with Rule 26(a)(2)(B)
December 1, 1999	Deadline for service on opposing counsel of expert reports, prepared in accordance with Rule 26(a)(2)(B), intended solely to contradict or rebut evidence on the same subject matter identified by the other party in an expert report disclosed on or before November 1, 1999
December 31, 1999	Close of expert discovery
January 3, 2000	Period for filing of dispositive or partially dispositive motions commences
January 14, 2000	Deadline for filing and serving dispositive or partially dispositive motions
February 4, 2000	Deadline for filing and serving answering briefs in opposition to dispositive or partially dispositive motions
February 16, 2000	Deadline for filing and serving reply briefs in support of dispositive or partially dispositive motions
March 15, 2000	Joint pretrial statement to be filed, including Rule 26(a)(3) disclosures
Late March, 2000	Pretrial conference
Late April, 2000	Trial begins

B. ADDITIONAL PROVISIONS

1. No party shall take more than 30 depositions in this action, except that a deposition

of each expert witness, who submits an expert report during the period provided by this order, shall be permitted even if a party has previously taken 30 depositions in this action.

2. No party shall propound more than 35 interrogatories to the other party. Each subpart shall be counted as a separate interrogatory. Interrogatories already propounded by plaintiff shall count toward its total of 35 permitted.

3. No party shall propound more than 75 requests for admissions to the other party, except with permission of the Court.

4. The stipulations reached by the parties in the Proposed Discovery Plan, filed with the Court on October 19, 1998, are incorporated into this Stipulated Scheduling Order and remain in full force and effect, except that this Stipulated Scheduling Order controls over any and all inconsistencies.

COUNSEL FOR PLAINTIFF
UNITED STATES OF AMERICA

_____/S/_____
Virginia Gibson-Mason (DSB # 3699)
Assistant United States Attorney
1201 Market Street, Suite 1100
Wilmington, DE 19801
Tel.: (302)573-5677
Facsimile: (302)573-6220

COUNSEL FOR DEFENDANT
FEDERATION OF PHYSICIANS AND
DENTISTS

_____/S/_____
Perry F. Goldlust (DSB # 770)
Heiman, Aber, Goldlust & Baker
First Federal Plaza, Suite 600
P.O. Box 1675
Wilmington, DE 19899-1675

ORDER

SO ORDERED:

Dated: March 4, 1999

Wilmington, Delaware

_____/S/_____
Honorable Joseph J. Farnan, Jr.
Chief Judge
United States District Court