UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

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August 25, 2023

By ECF

Honorable John F. Kness
Everett McKinley Dirksen United States Courthouse
219 South Dearborn Street
Chicago, IL 60604

RE: *Federal Trade Commission, et al. v. Amgen Inc., et al.*, No. 23-cv-03053 (N.D. Ill.)

Dear Judge Kness:

I write on behalf of Plaintiffs and Defendants in the above-referenced action to request that the Court schedule a telephonic preliminary pre-trial/status conference during the week of August 28th in order to address certain issues concerning scheduling and presentation of evidence. If convenient for the Court, the parties can be available for such a telephonic preliminary pre-trial conference on Tuesday, August 29th or Wednesday, August 30th. The parties have agreed that, in advance of the conference, and no later than 10 a.m. Central Time on Monday, they will each file a Statement not to exceed 7 double-spaced pages, addressing each party's position regarding the following issues for the Court's consideration during the conference:

1. The schedule for and anticipated length of the evidentiary hearing, which the parties agree should begin no earlier than September 13.
2. The date/time for the final pretrial conference, and date for submission of proposals regarding a final pretrial order.
3. Whether the parties can cite in post-trial findings to testimony that was taken during investigational hearings or depositions and was not designated in advance of trial or presented to the Court during the evidentiary hearing.
4. Whether Plaintiffs may present rebuttal witnesses following the close of Defendants' case.
5. Page limits on post-trial proposed findings of fact and conclusions of law.
6. Numerical limits on the number of exhibits.

Thank you for your consideration of and attention to this matter.

Respectfully submitted,

/s/ Noel Miller
Noel Miller
Counsel for Plaintiff Federal Trade Commission

Copy to:
All counsel of record (via ECF)