

06/21/2012 10:12 AM

FILED/ACCEPTED

Before the  
Federal Communications Commission  
Washington, D.C. 20554

JUN 26 2012

Federal Communications Commission  
Office of the Secretary

In the Matter of	)	MB Docket No. 12-122
	)	
Game Show Network, LLC,	)	File No. CSR-8529-P
Complainant,	)	
	)	
v.	)	
	)	
Cablevision Systems Corp.	)	
Defendant,	)	
	)	
Program Carriage Complaint.	)	

**ADDENDUM**

**Released: June 21, 2012**

**Preliminary Statement**

This *Addendum* is related to *Order FCC 12M-31* which deferred ruling on procedural dates. The dates are mostly those proposed by *GSN* and *Cablevision*. Final dates are set forth below as the established Procedural Dates.

The *hiatus* between Document Admissions session (now cancelled) and Commencement of Hearing is to allow time to receive in evidence *via* written *Order* those bindered hearing documents that are not subject to objection. The procedural dates adopted below require a party to file any Objection to an exchanged document by the 5th business day of the exchange date, **January 22, 2013**. Responses to an objection not to exceed 5 pages are due within 2 business days, **January 24, 2013**. No Replies to discovery or document Objections shall be filed without leave of the Presiding Judge. *See* 47 C.F.R. §1.294(d).

Exchange of Final Expert Reports shall now include the Presiding Judge and Bureau counsel as recipients on the same exchange dates (**October 22 and November 5**). This will provide opportunity to study the economic theories that are to be advanced at hearing.<sup>1</sup>

**Procedural Dates**

- July 6, 2012**                      Document requests served;<sup>2</sup> proposed protective order submitted.
- July 20, 2012**                    Responses and Objections to document requests served.

<sup>1</sup>Counsel may set forth in cover letters to the Presiding Judge the legal elements that these theory(s) support. Such letter from counsel shall be considered as attorney work product. These letters must not be shown to any testifying Economist before testifying, including cross-examination. The work product exclusion for such letter shall not be waived by sending them to the Presiding Judge, Bureau counsel, opposing counsel, and the complainant and defendant parties. There is no requirement to file letter or Final Expert Reports on the public record as they will be in the hearing record upon receipt in evidence.

<sup>2</sup> The parties may serve all pleadings are papers in this action upon each other and the FCC Enforcement Bureau via electronic mail rather than by hard-copy.

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<b>August 6, 2012</b>	Document production begins; parties may serve fact Deposition Notices.
<b>October 5, 2012</b>	Document production ends.
<b>November 5, 2012</b>	Defendant's Final Expert Reports filed; parties may serve expert Deposition Notices.
<b>December 14, 2012</b>	<b>DISCOVERY ENDS.</b>
<b>January 15, 2013</b>	Trial Briefs exchanged by 12:00 noon.
<b>January 15, 2013</b>	Direct Case document exhibits and written direct testimony exchanged by 12:00 noon. <sup>3</sup>
<b>January 22, 2013</b>	Objections filed to Direct Case exhibits and/or written testimony.
<b>January 24, 2013</b>	Responses filed to Objections.
<b>January 29, 2013</b>	Target date for Presiding Judges <i>Order</i> ruling on Exhibit Objections, and Rulings. <sup>4</sup>
<b>January 30, 2013</b>	Hearing commences at 10:00 a.m.; <sup>5</sup> thereafter hearing days begin at 9:30 am unless ordered otherwise. <sup>6</sup>

FEDERAL COMMUNICATIONS COMMISSION<sup>7</sup>



Richard L. Sippel  
Chief Administrative Law Judge

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<sup>3</sup>Hearing exhibits and written direct testimony must be received by all parties and the Presiding Judge not later than this date. Exhibits are to be serially numbered and assembled in binders. The name of the party introducing the exhibits must be shown on each exhibit (e.g., GSN Exh. 1). All pages within each exhibit must be consecutively numbered and internal numbering by hand is accepted. Tabbed dividers indicating exhibit numbers shall be used. If Official Notice of documents is expected to be requested, each document must be separately assembled, identified by source, given an exhibit number (e.g. Notice Exh. \_\_\_\_\_) and exchanged on the date set. Index with descriptive title of each footnote exhibit, number of pages in each exhibit, and identification of any sponsoring witness(es) for each exhibit shall be included.

<sup>4</sup> If objections cannot be resolved by written *Order* (i.e. need arises for live authentication testimony), they will be resolved on first day of hearing in which case authentication witnesses must be in the courtroom or in the adjoining witness room.

<sup>5</sup> Each party has the option to conduct brief direct examination of its witnesses for introduction, to address or clarify any fact issue raised for the first time in an opposing party's written direct testimony, and to briefly summarize the witness's written direct testimony before the witness is proffered for cross-examination.

<sup>6</sup> Witnesses can expect one 15 minute break in the a.m. and one in the p.m. Except where witness cross-examination can be completed by a reasonable later time, the hearing day ends at 5:00 p.m.

<sup>7</sup>Courtesy copies of this *Order* are e-mailed on issuance to each counsel.