

Federal Communications Commission
Washington, DC 20554

FCC 13M-1
09573

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)

ORDER

Issued: February 20, 2013

Released: February 20, 2013

Preliminary Statement

On February 19, 2013, Game Show Network, LLC (GSN) and Cablevision Systems Corp. (Cablevision) filed a Stipulation Regarding Scheduling agreeing to (a) exchange written direct testimony and trial briefs on March 5, 2013, (b) exchange deposition designations on March 1, 2013, (c) exchange deposition counter-designations on March 5, 2013, (d) exchange objections to those designations or counter-designations on March 8, 2013, and (e) allow the submission of supplemental expert testimony on March 12, 2013 for the limited purpose of rebutting any opinions offered in the other party's written direct expert testimony that was not previously offered in an expert witness's report. These alternations to the procedural calendar are reflected in GSN and Cablevision's submitted Joint Proposed Revised Schedule. As GSN and Cablevision mutually agree to this revision and the Enforcement Bureau has not presented any opposition, the proposed alterations to the procedural calendar will be implemented. To ensure that the Presiding Judge has sufficient time to rule on the parties' Objections, however, the target date for his *Order* and the date of the Hearing will now be scheduled one week later. The Revised Schedule is HEREBY ADOPTED AS MODIFIED.

Updated Procedural Dates

March 1, 2013

Direct Case document exhibits and deposition designations exchanged by 12:00 noon.¹

¹ Hearing exhibits 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

March 5, 2013	Trial Briefs, written direct testimony, and deposition counter-designations exchanged by 12:00 noon. ²
March 8, 2013	Objections filed to Direct Case exhibits, written testimony, and/or deposition designations and counter-designations.
March 12, 2013	Supplemental expert witness written direct testimony filed. ³
March 13, 2013	Responses filed to Objections to written testimony, Direct Case exhibits, and/or deposition designations and counter-designations.
March 25, 2013	Target date for Presiding Judges <i>Order</i> ruling on exhibit and deposition designation Objections, and Rulings. ⁴
March 26, 2013	Hearing commences at 10:00 a.m., ⁵ thereafter hearing days begin at 9:30 a.m. unless ordered otherwise. ⁶

FEDERAL COMMUNICATIONS COMMISSION⁷



Richard L. Sippel
Chief Administrative Law Judge

exhibit, number of pages in each exhibit, and identification of any sponsoring witness(es) for each exhibit shall be included.

² Written direct testimony must be received by all parties and the Presiding Judge not later than this date and must adhere to the guidelines for the treatment of hearing exhibits prescribed in footnote 1, *supra*. The numbering of the written direct testimony must sequentially follow that of the document exhibits.

³ Supplemental expert witness written direct testimony must be received by all parties and the Presiding Judge not later than this date and must adhere to the guidelines for the treatment of hearing exhibits prescribed in footnote 1, *supra*. The numbering of the written direct testimony must sequentially follow that of the previously submitted written direct testimony.

⁴ 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.

⁵ 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.

⁶ 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.

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