

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of:

CERTAIN POTASSIUM CHLORIDE
POWDER PRODUCTS

Inv. No. 337-TA-1013

ORDER NO. 5: SETTING THE PROCEDURAL SCHEDULE

(August 31, 2016)

On August 22, 2016, the parties filed a Joint Proposed Procedural Schedule pursuant to Order No. 2. (Doc. ID No. 588720). After considering the parties' proposed deadlines, proposed changes to original deadlines set forth in Appendix A of Order No. 2, and proposed elimination of certain deadlines set forth in Appendix A of Order No. 2, and finding them to be reasonable, I have adopted the Procedural Schedule with all of the parties' proposed changes, attached hereto as Appendix A.

SO ORDERED.



MaryJoan McNamara
Administrative Law Judge

APPENDIX A


PROCEDURAL SCHEDULE: INV. NO. 337-TA-1013

Parties Submit Discovery Statement	August 22, 2016
Parties file a Proposed Procedural Schedule Filling in Other Dates Not in Schedule	
Last Day to Serve Interrogatories, Requests for Production of Documents, and Requests for Admission	November 18, 2016
Responses to Discovery Requests	Consistent with Commission Rules
File Identification of Expert Witnesses, Including Their Expertise and Curriculum Vitae	October 3, 2016
Deadline for First Settlement Conference	By October 14, 2016
Respondents Should File Lists of All Products Containing Potassium Chloride Being Imported and/or Sold In the U.S.	October 20, 2016
Submission of First Settlement Conference Joint Report	October 20, 2016
File Tentative List of Witnesses a Party Will Call to Testify at the Evidentiary Hearing, with an Identification of Each Witness's Relationship to the Party	September 19, 2016
Exchange of Initial Expert Reports (identify tests/surveys/data)	October 13, 2016
Exchange of Rebuttal Expert Reports	November 10, 2016
Fact and Expert Discovery Cutoff and Completion	December 2, 2016
Last day to File Motions to Compel Discovery	December 2, 2016
Deadline for Second Settlement Conference	By December 16, 2016
Submission of Second Settlement Conference Joint Report	December 22, 2016
Last Day to File Summary Determination Motions	December 23, 2016
Statements with Regard to Whether Any Party Intends to Offer Expert Reports into Evidence	December 30, 2016
Initial Exchange of Exhibit Lists Among the Parties	December 30, 2016

Submit and Serve Direct Exhibits (including witness statements, if appropriate), with Physical and Demonstrative Exhibits Available – Complainant and Respondent, along with final Complainants, Respondents, and Joint Exhibit Lists	January 6, 2017
Submit and Serve Direct Exhibits (including witness statements), with Physical and Demonstrative Exhibits Available – Staff	January 13, 2017
File Pre-Hearing Statements and Briefs – Complainant and Respondent	January 6, 2017
File Pre-Hearing Statement and Brief – Staff	January 13, 2017
File Requests for Receipt of Evidence Without a Witness	January 18, 2017
Submit and Serve Rebuttal Exhibits (including witness statements), with Rebuttal Physical and Demonstrative Exhibits Available – All Parties	January 19, 2017
Last Day to File Motions <i>in Limine</i> and High Priority Objections (each party is limited to no more than a combination of six (6))	January 20, 2017
File Responses to Motions <i>in Limine</i> and High Priority Objections	January 27, 2017
Submission of Declarations Justifying Confidentiality of Exhibits	January 25, 2017
Pre-Hearing Conference	February 8, 2017, 9:30 a.m. or As Determined
Hearing	February 9, 2017 and February 10, 2017, from 9:30 a.m. to 5:30 p.m.
Last Day to Submit Final Exhibits, by Appointment	No more than two business days after hearing
File Initial Post-Hearing Briefs and Final Exhibit Lists	February 24, 2017
File Reply Post-Hearing Briefs	March 3, 2017
Final ID due	April 27, 2017
Target Date	August 27, 2017

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served upon the Commission Investigative Attorney, Toddy Taylor, Esq. and upon the following parties as indicated, on **August 31, 2016**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

**On Behalf of Complainants Lehigh Valley Technologies, Inc., Endo Global
Ventures, Endo Ventures Limited, and Generics Bidco I, LLC (d/b/a
Qualitest Pharmaceuticals and Par Pharmaceutical:**

David A. Hickerson, Esq.
FOLEY & LARDNER LLP
3000 K Street, NW, Suite 600
Washington, DC 20007

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: _____

**Respondents: Viva Pharmaceuitcals Inc., Virtus Pharmaceuticals, LLC
And Virtus Pharmaceuticals OPCO II, LLC:**

Tom M. Schaumberg
ADDUCI, MASTRIANI & SCHAUBERG, L.L.P.
113 Connecticut Avenue, N.W., 12th Floor
Washington, DC 20036

- Via Hand Delivery
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- Via First Class Mail
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