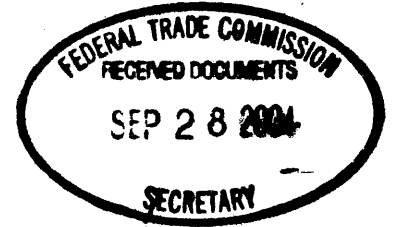


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of)
)
)

North Texas Specialty Physicians,)
Respondent.)
_____)

Docket No. 9312

ORDER ON TRANSCRIPT CHANGES

By letter dated September 21, 2004, the court reporting firm contracted by the Federal Trade Commission to provide court reporting services in Part III adjudications and utilized in the trial in this matter, listed a number of purported corrections to the transcript of the trial in this matter.

Rule 3.44(b) of the Commission's Rules of Practice provides:

Corrections of the official transcript may be made only when they involve errors affecting substance and then only in the manner herein provided. Corrections ordered by the Administrative Law Judge or agreed to in a written stipulation signed by all counsel and parties not represented by counsel, and approved by the Administrative Law Judge, shall be included in the record, and such stipulations, except to the extent they are capricious or without substance, shall be approved by the Administrative Law Judge. Corrections shall not be ordered by the Administrative Law Judge except upon notice and opportunity for the hearing of objections. Such corrections shall be made by the official reporter by furnishing substitute type pages, under the usual certificate of the reporter, for insertion in the official record. The original uncorrected pages shall be retained in the files of the Commission.

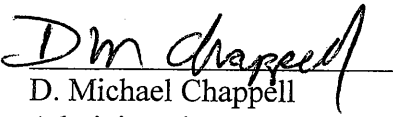
16 C.F.R. § 3.44(b).

Trial in this matter concluded on May 24, 2004. Closing arguments were heard on June 12, 2004. On June 23, 2004, Complaint Counsel and Respondent's counsel filed a Joint Stipulation Regarding Trial Transcript Errata. By Order dated June 23, 2004, the Joint Stipulation Regarding Trial Transcript Errata was approved and signed by the Administrative Law Judge.

The September 21, 2004 letter from the court reporting firm indicates that additional changes have been made “[b]ased on additional input from the FTC Trial Team.” The September 21, 2004 letter does not indicate that these purported changes were agreed to by Respondent or that they were ordered or approved by the Administrative Law Judge.

Any purported changes to the transcript that were not authorized by order of the Administrative Law Judge are improper, are not in compliance with Rule 3.44(b), and shall not be made to the record in this case.

ORDERED:


D. Michael Chappell
Administrative Law Judge

Date: September 28, 2004