



	<p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Ms. Moore is an employee of Tempur Sealy and is expected to testify about Tempur Sealy’s business and operations, including its investor relations, market share analysis, recapture efforts after leaving Mattress Firm in 2017, competitive conditions in the industry, and consideration and analysis of its proposed acquisition and ownership of Mattress Firm, and other potential acquisitions.</p>	
3.	Bhasker Rao	<p>c/o Cleary Gottlieb Steen &amp; Hamilton LLP 2112 Pennsylvania Ave., NW Washington, D.C. 20037</p>
	<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Mr. Rao is an employee of Tempur Sealy and is expected to testify about Tempur Sealy’s business and operations, including its management of Dreams and SOVA, and its consideration and analysis of, and ownership of, Mattress Firm, and other potential acquisitions.</p>	
4.	Steve Rusing	<p>c/o Cleary Gottlieb Steen &amp; Hamilton LLP 2112 Pennsylvania Ave., NW Washington, D.C. 20037</p>
	<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Mr. Rusing is an employee of Tempur Sealy and is expected to testify about Tempur Sealy’s business and operations, including market share analysis, recapture efforts after leaving Mattress Firm in 2017, competitive conditions in the industry, its relationships with mattress retailers, and its consideration and analysis of its proposed acquisition and ownership of Mattress Firm, including proposed remedies.</p>	

5.	Scott Thompson	c/o Cleary Gottlieb Steen & Hamilton LLP 2112 Pennsylvania Ave., NW Washington, D.C. 20037
<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Mr. Thompson is the CEO and Chairman of the Board of Tempur Sealy and is expected to testify about Tempur Sealy’s business and operations, including its relationships with mattress retailers and suppliers, its management of Dreams and SOVA, and its consideration and analysis of its proposed acquisition and ownership of Mattress Firm, and other potential acquisitions, including proposed remedies.</p>		
6.	Anne Dament	c/o Simpson Thacher & Bartlett LLP 900 G St. NW Washington, D.C. 20001
<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Ms. Dament is an employee of Mattress Firm and is expected to testify about Mattress Firm’s business and operations, including its relationships with mattress suppliers, and its consideration and analysis of the proposed acquisition by Tempur Sealy.</p>		
7.	John Eck	c/o Simpson Thacher & Bartlett LLP 900 G St. NW Washington, D.C. 20001
<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Mr. Eck is the CEO of Mattress Firm and is expected to testify about Mattress Firm’s business and operations, including its relationships with mattress suppliers, and its consideration and analysis of the proposed acquisition by Tempur Sealy.</p>		

8.	Melissa Barra	c/o Fox Rothschild LLP 33 S. Sixth Street, Suite 3600 Minneapolis, MN 55402
	<input checked="" type="checkbox"/> Live <input type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Ms. Barra is an EVP and Chief Sales and Services Officer of Sleep Number and is expected to testify about Sleep Number's participation in the mattress industry and the competitive effects of the proposed acquisition, including proposed remedies.	
9.	David Binke	c/o Barnes & Thornburg LLP One North Wacker Drive Suite 4400 Chicago, Illinois 60606-2833
	<input checked="" type="checkbox"/> Live <input type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Binke is CEO of King Koil and is expected to testify about King Koil's participation in the mattress industry and the competitive effects of the proposed acquisition, including proposed remedies.	
10.	Rob DeMartini	c/o Dorsey & Whitney LLP 50 South Sixth Street, Suite 1500 Minneapolis, MN 55402
	<input checked="" type="checkbox"/> Live <input type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. DeMartini is CEO of Purple and is expected to testify about Purple's participation in the mattress industry and the competitive effects of the proposed acquisition, including proposed remedies.	

11.	Mark Genender	c/o Weil, Gotshal & Manges LLP 2001 M Street, NW Washington, D.C. 20036
<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Mr. Genender is Chairman of the Board of Serta Simmons Bedding and is expected to testify about SSB's participation in the mattress industry and the competitive effects of the proposed acquisition, including proposed remedies.</p>		
12.	Bill Papettas	c/o Paul, Weiss, Rifkind, Wharton & Garrison LLP 1285 Avenue of the Americas New York, NY 10019
<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Mr. Papettas is CEO of Mattress Warehouse and is expected to testify about Mattress Warehouse's experience in the mattress industry, the competitive effects of the proposed acquisition, including proposed remedies, and its planned acquisition of divested Sleep Outfitters and Mattress Firm stores.</p>		
13.	Jon Studner	c/o Hunton Andrews Kurth LLP Wells Fargo Center 333 SE 2nd Avenue, Suite 2400 Miami, FL 33131
<p>X Live      <input type="checkbox"/> Deposition</p> <p>X Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i></p> <p>Mr. Studner is VP, Merchandising of Rooms to Go and is expected to testify about Rooms to Go's experience in the mattress industry and the competitive effects of the proposed acquisition, including proposed remedies.</p>		

14.	Gopal Das Varma	c/o Federal Trade Commission 600 Pennsylvania Ave, NW Washington, DC 20580
<p><input checked="" type="checkbox"/> Live      <input type="checkbox"/> Deposition  <input type="checkbox"/> Fact      <input checked="" type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i>  Dr. Das Varma is a VP of Charles River Associates and is expected to testify consistent with opinions expressed in his reports.</p>		
15.	Kevin Hearle	c/o Federal Trade Commission 600 Pennsylvania Ave, NW Washington, DC 20580
<p><input checked="" type="checkbox"/> Live      <input type="checkbox"/> Deposition  <input type="checkbox"/> Fact      <input checked="" type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i>  Mr. Hearle is a financial analyst at the Federal Trade Commission and is expected to testify consistent with opinions expressed in his report.</p>		
16.	Tyrone Coleman	c/o Cleary Gottlieb Steen & Hamilton LLP 2112 Pennsylvania Ave., NW Washington, D.C. 20037
<p><input type="checkbox"/> Live      <input checked="" type="checkbox"/> Deposition  <input checked="" type="checkbox"/> Fact      <input type="checkbox"/> Expert      <input type="checkbox"/> Record Custodian</p> <p><i>Brief description of witness capacity and testimonial topics:</i>  Mr. Coleman is an employee of Tempur Sealy and testified in both a deposition and an investigative hearing about the mattress industry, Tempur Sealy's sales practices, mattress manufacturing competition, and sales through mattress retailers.</p>		
17.	Greg Cremeans	c/o Cleary Gottlieb Steen & Hamilton LLP 2112

		Pennsylvania Ave., NW Washington, D.C. 20037
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Cremeans is an employee of Tempur Sealy and testified in both a deposition and an investigative hearing about the mattress industry, Tempur Sealy's relationship with Mattress Firm, Tempur Sealy's sales practices, mattress manufacturing competition, and sales through mattress retailers.	
18.	Jim Kehoe	c/o Cleary Gottlieb Steen & Hamilton LLP 2112 Pennsylvania Ave., NW Washington, D.C. 20037
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Kehoe is an employee of Tempur Sealy and testified about the mattress industry, Tempur Sealy's relationship with Mattress Firm, Tempur Sealy's sales practices, mattress manufacturing competition, and sales through mattress retailers.	
19.	Michael Poppe	c/o Cleary Gottlieb Steen & Hamilton LLP 2112 Pennsylvania Ave., NW Washington, D.C. 20037
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Poppe is an employee of Tempur Sealy and testified about the mattress industry, Tempur Sealy's manufacturing and sales practices, competition, and sales through mattress retailers.	

20.	Philip Busker	c/o Simpson Thacher & Bartlett LLP 900 G St. NW Washington, D.C. 20001
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Busker is an employee of Mattress Firm and testified about Mattress Firm's relationship with Tempur Sealy, Mattress Firm's relationships with other mattress suppliers, the mattress industry in general, and Mattress Firm's current and future expected plans.	
21.	Tom Polit	c/o Simpson Thacher & Bartlett LLP 900 G St. NW Washington, D.C. 20001
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Polit is an employee of Mattress Firm and testified about Mattress Firm's relationships with mattress suppliers, the mattress industry in general, and competition.	
22.	Luis Portillo	c/o Simpson Thacher & Bartlett LLP 900 G St. NW Washington, D.C. 20001
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Portillo is an employee of Mattress Firm and testified about Mattress Firm's relationships with mattress suppliers, the mattress industry in general, and competition.	
23.	Jody Putnam	c/o Simpson Thacher & Bartlett LLP 900 G St. NW Washington, D.C. 20001



	<input type="checkbox"/> Live      X Deposition X Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Putnam is an employee of Mattress Firm and testified about Mattress Firm’s relationship with mattress suppliers, the mattress industry in general, and competition.	
24.	Kimberly Alexander	c/o Davis Wright Tremaine LLP 920 Fifth Avenue, Suite 3300 Seattle, Washington 98104
	<input type="checkbox"/> Live      X Deposition X Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Ms. Alexander is an employee of Costco and testified about the mattress industry and Costco’s mattress sales.	
25.	Emilie Arel	c/o Arnold & Porter 601 Massachusetts Ave., NW Washington, DC 20001
	<input type="checkbox"/> Live      X Deposition X Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Ms. Arel was formerly CEO of Casper and testified about the mattress industry, mattress manufacturing, Casper’s relationship with Mattress Firm, mattress qualities, and the proposed acquisition, including proposed remedies.	
26.	Nicholas Bates	c/o Spring Air International 300 Tradecenter Dr. Suite 6400 Woburn, MA 01801
	<input type="checkbox"/> Live      X Deposition X Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Bates is an employee of Spring Air and testified about the mattress industry, mattress pricing and qualities, the	

	importance of Mattress Firm, and the proposed acquisition, including proposed remedies.	
27.	Nelson Bercier	c/o Larry Miller Sit 'n Sleep, Inc. 14300 S. Main St. Gardena, CA 90248
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Bercier is an employee of Sit 'n Sleep and testified about the mattress industry, mattress manufacturing, and competition.	
28.	Kelly Davis	c/o Norton Rose Fulbright 799 9th Street, N.W., Suite 1000 Washington, D.C. 20001
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Ms. Davis is an employee of Ashley Furniture and testified about the mattress industry, pricing and quality of mattresses, Ashley's assortment of mattresses and other aspects of mattress sales decisions, and Ashley's relationship with mattress suppliers, including Tempur Sealy.	
29.	Richard Diamonstein	c/o Kaufman & Canoles 150 W. Main Street Norfolk, VA 23510
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Diamonstein is an employee of Paramount Sleep Company and testified about the mattress manufacturing industry, mattress pricing and qualities, the importance of Mattress Firm, and the proposed acquisition, including proposed remedies.	

30.	Alicia Foreman	c/o Dorsey & Whitney LLP 50 South Sixth Street, Suite 1500 Minneapolis, MN 55402
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Ms. Foreman is an employee of Purple and testified about the mattress industry, Purple's relationship with Mattress Firm, and the proposed acquisition.	
31.	John Gill	c/o Greenberg Traurig, LLP 2101 L Street, N.W. Suite 1000 Washington, D.C. 20037
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Gill is an employee of Haverty's and testified about the mattress industry, mattress retail limitations, Haverty's relationship with mattress suppliers, and the proposed acquisition.	
32.	Frank Hood	c/o Foley & Lardner LLP 3000 K Street, N.W., Suite 600 Washington, D.C. 20007
	<input type="checkbox"/> Live <input checked="" type="checkbox"/> Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Hood is an employee of Kingsdown and testified about the mattress industry, mattress pricing and qualities, Kingsdown's relationship with Mattress Firm, and the proposed acquisition.	
33.	Joe Megibow	c/o Arnold & Porter 601 Massachusetts Ave., NW Washington, DC 20001

	<input type="checkbox"/> Live      X Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Megibow was formerly CEO of Casper and testified about the mattress industry, mattress manufacturing, Casper's relationship with Mattress Firm, mattress qualities, and the proposed acquisition, including proposed remedies.	
34.	Jason Shapiro	c/o Michael Licker, Esq. Wayfair LLC 4 Copley Place Boston, MA 02116
	<input type="checkbox"/> Live      X Deposition <input checked="" type="checkbox"/> Fact <input type="checkbox"/> Expert <input type="checkbox"/> Record Custodian <i>Brief description of witness capacity and testimonial topics:</i> Mr. Shapiro is a former employee of Wayfair and testified about the mattress industry and Wayfair's mattress sales.	

Plaintiff reserves the right to call any witness who appears on Defendants' trial witness list and to recall any witnesses.

Respectfully submitted,

November 4, 2024  
Date

/s/ Allyson Maltas  
 Allyson Maltas  
 Attorney-in-Charge  
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 Email: amaltas@ftc.gov  
*Counsel for Plaintiff*  
*Federal Trade Commission*

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing on all counsel of record who have appeared in this matter via the Court's CM/ECF system on November 4, 2024.

*s/ Allyson M. Maltas*

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Allyson M. Maltas

*Attorney-in-Charge*