

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

[PUBLIC]

[REDACTED]

D. Complaint Counsel may not give lack of information or knowledge as a reason for failure to admit or deny unless Complaint Counsel states that it has made reasonable inquiry and that the information known to or readily obtainable by Complaint Counsel is insufficient to enable it to admit or deny.

E. If Complaint Counsel considers that a matter of which an admission has been requested presents a genuine issue for trial, Complaint Counsel may not, on that ground alone, object to the request; Complaint Counsel may deny the matter or set forth reasons why

Complaint Counsel may deny the matter or set forth reasons why

F. Any matters not responded to within 20 days of this request will be deemed admitted.

II.

ADMISSIONS

1. Admit that contracts under which NTSP's physicians share risk are not the subject of this adjudicative proceeding.
2. Admit that you claim this adjudicative proceeding is about horizontal price fixing.
3. Admit that you claim the conduct of NTSP is per se unlawful.
4. Admit that you claim the conduct of NTSP should not be analyzed under a rule of reason theory of liability.
5. Admit that competing physicians can properly take concerted actions like those complained about in this adjudicative proceeding if those actions do not have the effect of fixing or facilitating the fixing of prices.

Respectfully submitted,



Gregory S. C. Huffman
William M. Katz, Jr.

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**ATTORNEYS FOR NORTH TEXAS
SPECIALTY PHYSICIANS**

CERTIFICATE OF SERVICE

I, Gregory D. Binns, hereby certify that on November 20, 2003, I caused a copy of the foregoing, to be served upon the following persons:

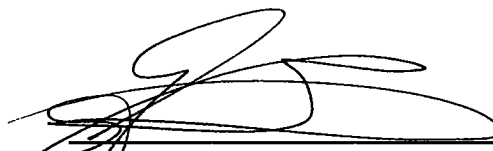
Michael Bloom (via e-mail and Federal Express)
Senior Counsel
Federal Trade Commission
Northeast Region

One Bowling Green, Suite 318
New York, NY 10004

Hon. D. Michael Chappell (via Federal Express)
Administrative Law Judge
Federal Trade Commission
Room H-104
600 Pennsylvania Avenue NW
Washington, D.C. 20580

Office of the Secretary (via e-mail and Federal Express)
Federal Trade Commission
Room H-159
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and by e-mail upon the following: Susan Raitt (sraitt@ftc.gov), and Jonathan Platt (jplatt@ftc.gov).



Gregory D. Binns