

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of)
NORTH TEXAS SPECIALTY PHYSICIANS) Docket No. 9312
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AFFIDAVIT OF D. GARY REED

STATE OF KENTUCKY §
 §
COUNTY OF JEFFERSON §

Before me, the undersigned authority, on this day personally appeared D. Gary Reed,

3. "I have reviewed the non-party Subpoena Duces Tecum served on Humana by North Texas Specialty Physicians ("NTSP").

4. "Request No. 5 (seeking documents comparing the costs and quality of medical services between physician providers) is not expressly limited in scope to any specific

geographic location. Consequently in order to respond to this request, Humana would be

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State of Texas to determine what documents might somehow be responsive. Given the fact that any such documents are not collected in any one file, but could instead be located in the files of anyone working on network development, Humana would be required to expend in excess of 100 man hours to identify, review and collect any responsive documents.

9. "Further, per the instructions contained in the subpoena, the date range of potentially responsive documents spans a six (6) year period. The amount of effort, time and expense necessary to respond to the subpoena grows in proportion to the length of time covered by the subpoena. Older records, to the extent they exist, are stored off-site thus increasing the effort, time and expense necessary to respond.

10. "The subpoena also requests Humana to prepare a privilege log for any documents withheld from production. As indicated above, in order to respond to the requests in

the subpoena, as drafted, Humana will be required to expend a substantial number of man hours

FURTHER AFFIANT SAYETH NOT.

D. Gary Reed
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