

DEFINITIONS

1. "Matter" means the matter captioned in the Matter of Piedmont Health Alliance, Inc.

Peter H. Bradshaw, M.D., S. Andrews Deekens, M.D., Daniel C. Dillon, M.D., Sanford D. Guttler, M.D., David L. Harvey, M.D., John W. Kessel, M.D., A. Gregory Rosenfeld, M.D., James R. Thomssen, M.D., Robert A. Vannich, M.D., William Lee Young III, M.D., Debra

Number 9314, pending before the Federal Trade Commission, and all subsequent appellate or other review proceedings related thereto.

2. "Commission" or "FTC" means the Federal Trade Commission, or any of its employees, agents, attorneys, and all other persons acting on its behalf, excluding persons retained as consultants or experts for purposes of this Matter.

7. "Outside Counsel" means the law firms that are counsel of record for Respondents in this

Matter and their associated attorneys; and other persons regularly employed by such law firms,  
including legal assistants, clerical staff, and information management personnel and temporary

personnel retained by such law firm(s) to perform legal or clerical duties, or to provide logistical

litigation support with respect to this Matter, and all of their employees, agents, and Outside

non-identical series of parameters as a public matter as matter has been decided on 1. 1. 1.

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

the disclosure of which to Respondents or Third Parties would cause substantial commercial

them; and (2) any other legal obligation imposed upon the Commission. The Parties, in conducting discovery from Third Parties, shall attach to such discovery requests a copy of this Protective Order and a cover letter that will apprise such Third Parties of their rights hereunder

2. This paragraph concerns the designation of material as “Confidential” and “Restricted Confidential, Attorney Eyes Only.”

(a) Designation of Documents as “CONFIDENTIAL - D.9314”

Discovery Material may be designated as Confidential Discovery Material by Producing

placing on or affixing such legend on each page of the document. It is anticipated that documents to be designated Restricted Confidential Attorney Eyes Only may include certain

marketing plans, sales forecasts, business plans, the financial terms of contracts, operating plans, pricing and cost data, price terms, analyses of pricing or competition information, and limited proprietary personnel information; and that this particularly restrictive designation is to be utilized for a limited number of documents. Documents designated Restricted Confidential, Attorney Eyes Only may be disclosed to Outside Counsel, Complaint Counsel, 14

Confidential, Attorney Eyes Only material within five business days of receiving notice of an

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Confidential Attorney Eyes Only is entitled to the protections of this paragraph



2) Kim Auten, RN, BSN, Chief Nursing Officer

3) Ira Bloomfield, M.D., Chief Medical Information Officer

4) Jim Hughes, CPA, Chief Financial Officer

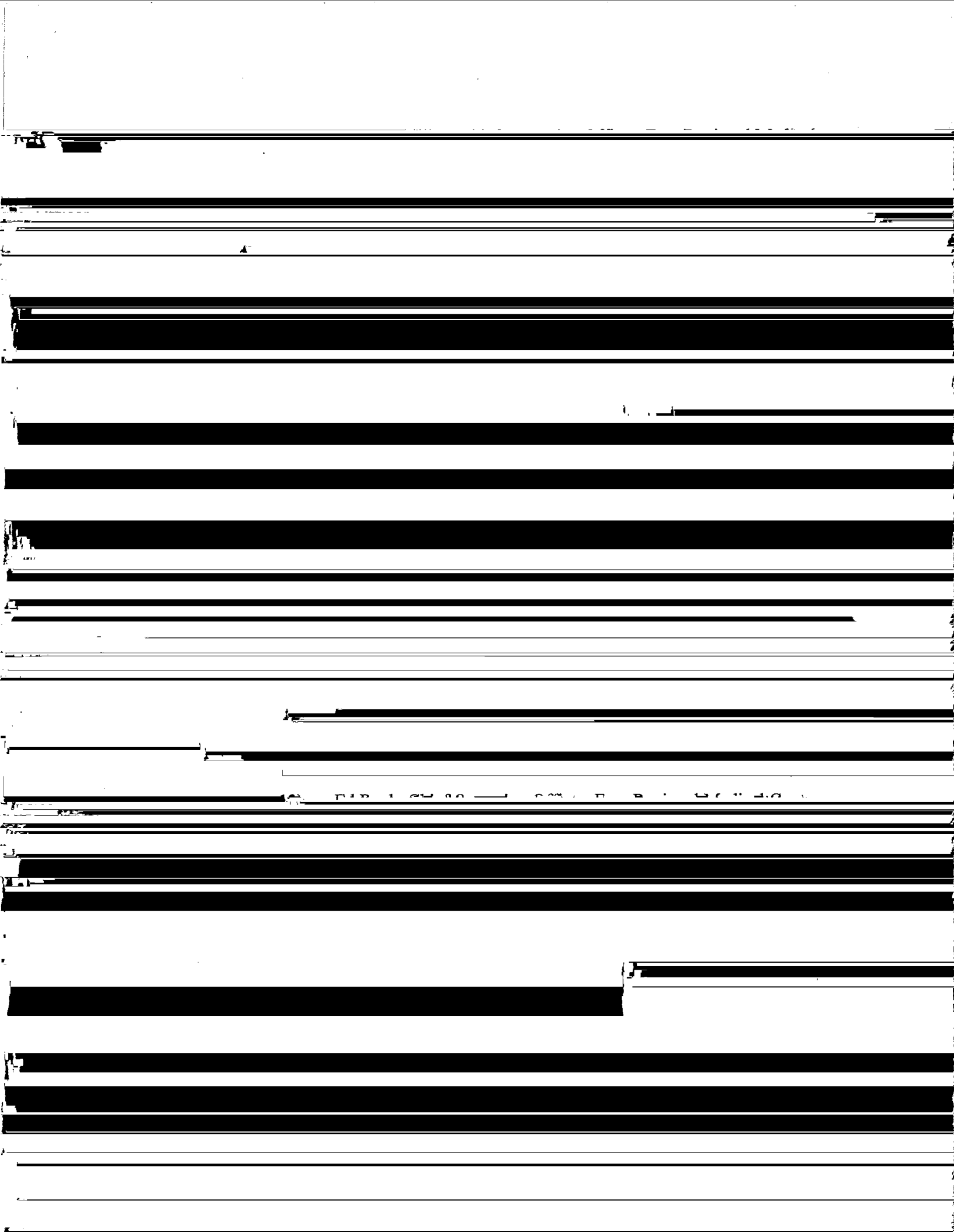
5) Cathy Pettit, Chief Operating Officer

1) David G. Coffey III, M.D.

2) J. Steven Corder, M.D.

3) Robert Fritts, Chief Financial Officer, Grace Healthcare System

4) Donald Gardner, Chief Financial Officer, Caldwell Memorial



OFFICE OF THE ATTORNEY GENERAL

6) Michele Haynes for Peter H. Bradshaw, M.D.

7) Jeff Henson for A. Gregory Rosenfeld, M.D.

8) Tina Hertzler for William Lee Young III, M.D.

6. Confidential Discovery Material, including material designated as "Confidential" and



Regardless of confidential designation, copies of published magazine or newspaper

articles, extracts from published books, publicly available tariffs, and public documents filed

with the Securities and Exchange Commission or other governmental entity may be used by any  
Party without reference to the procedures of this subparagraph.

such declarations for the duration of the litigation. Confidential Discovery Material shall not be copied or reproduced for use in this Matter except to the extent such copying or reproduction is reasonably necessary to the conduct of this Matter, and all such copies or reproductions shall be subject to the terms of this Protective Order. If the duplication process by which copies or reproductions of Confidential Discovery Material are made does not preserve the confidentiality designations that appear on the original documents, all such copies or reproductions shall be stamped "CONFIDENTIAL – D. 9314."



days before production and shall include a copy of this Protective Order and a cover letter that

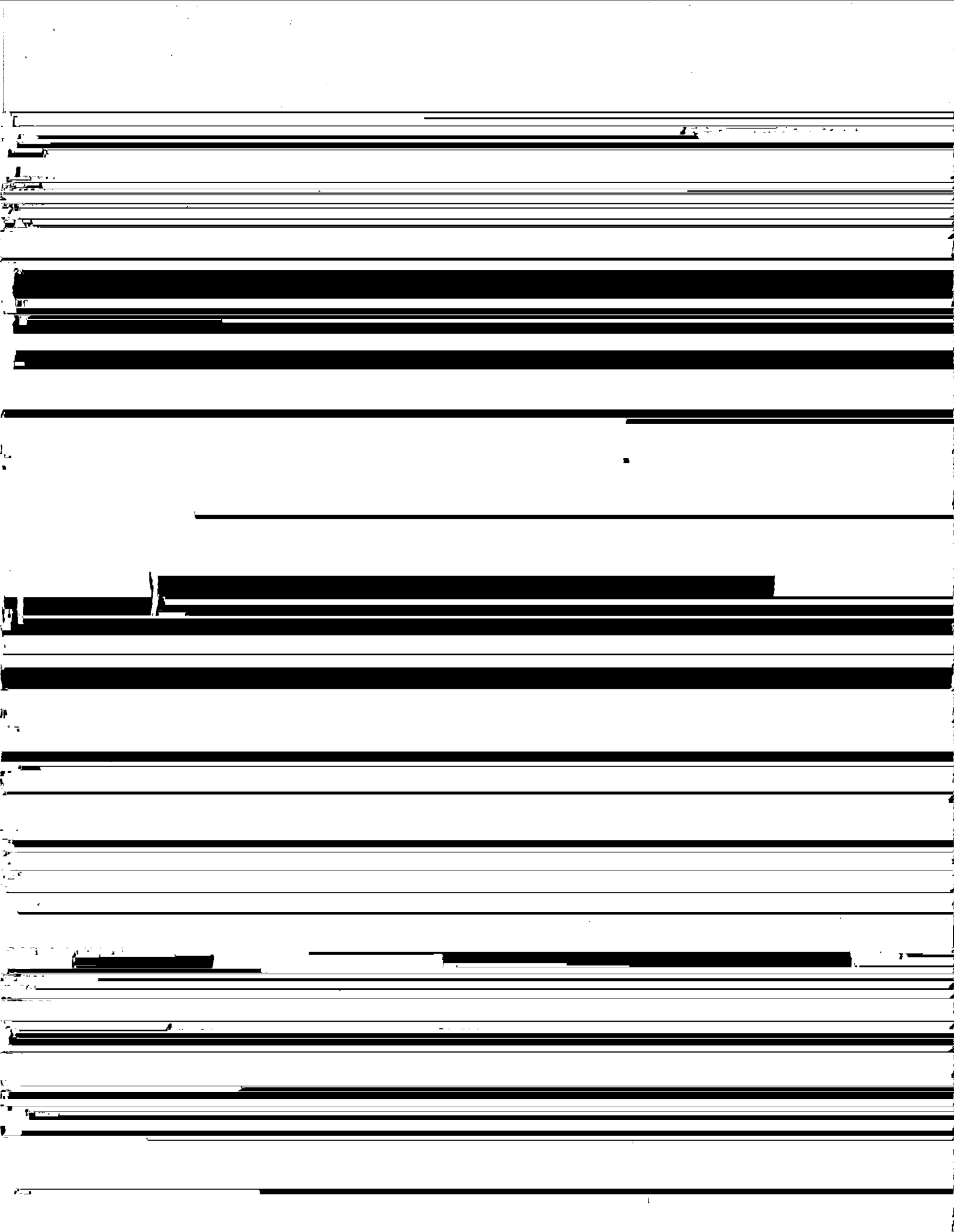
Rules 3.22, 3.45 or 4.11(b)-(e), 16 C.F.R. §§ 3.22, 3.45 and 4.11(b)-(e).<sup>1</sup>

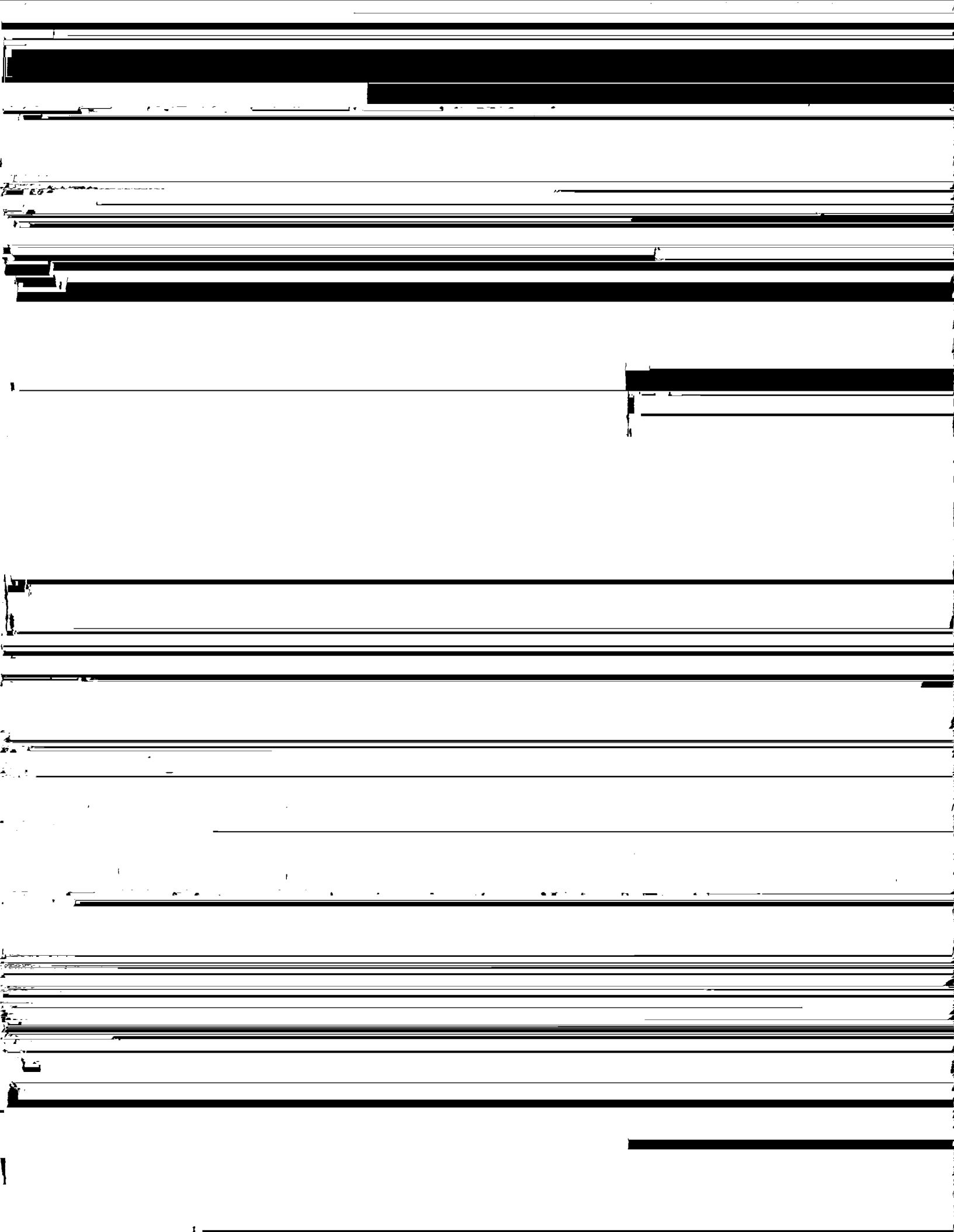
~~Any Party or Producing Party may move at any time for in-camera treatment of any~~

1

16. This Protective Order shall not apply to the disclosure by a Producing Party or its Counsel of such Producing Party's Confidential Discovery Material to such Producing Party's employees, agents, former employees, board members, directors, and officers.

Protective Order which a Producing Party claims was inadvertent and should not have been





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

\_\_\_\_\_  
In the Matter of )  
 )  
 )  
PIEDMONT HEALTH ALLIANCE, INC., )  
a corporation, )

Docket No. 9314

and )  
 )  
PETER H. BRADSHAW, M.D., )  
S. ANDREW DEFKENS, M.D. )

\_\_\_\_\_  
 )  
 )  
SANFORD D. GUTTLER, M.D., )  
DAVID L. HARVEY, M.D., )  
JOHN W. KESSEL, M.D., )  
A. GREGORY ROSENFELD, M.D., )  
JAMES R. THOMPSON, M.D., )  
ROBERT A. YAPUNDICH, M.D., )  
WILLIAM E. YOUNG, M.D. )

individually. )  
\_\_\_\_\_ )

DECLARATION CONCERNING PROTECTIVE  
ORDER GOVERNING DISCOVERY MATERIAL

3. I understand that the restrictions on my use of such Confidential Discovery Material include:

[REDACTED]