

PUBLIC

UNITED STATES OF AMERICA

MADE IN U.S.A.

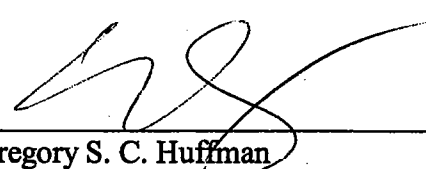
[REDACTED]

by failing to prove a relevant market — or effect on a relevant market — because Complaint

Counsel's economic expert has conceded that he has not defined a relevant market in this case

FOR THESE REASONS, and those set forth in the accompanying memorandum, NTSP requests that this motion be granted and that this action be dismissed in its entirety. NTSP also requests all other and further relief to which it may be justly entitled.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, _____, Clerk of the Court, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on _____, 2004.

Witness my hand and the seal of the Court at _____, California, this _____ day of _____, 2004.

UNITED STATES OF AMERICA

In the Matter of

North Texas Specialty Physicians,
a corporation.

Docket No. 9312

PROPOSED ORDER ON MOTION FOR SUMMARY DECISION

Came on to be heard Respondent North Texas Specialty Physicians' Motion for Summary Decision and the Administrative Law Judge, having considered the Memorandum in Support of the Motion for Summary Decision, the Separate Statement of Material Facts as to Which There is No Genuine Issue, any responses or replies to the Motion, Memorandum, or Separate Statement.

1/10/07 with comments of counsel hereby GRANTS Respondent's Motion