

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

In the Matter of)	
)	
)	Docket No. 9315
Evanston Northwestern Healthcare Corporation,)	(Public Record Version)
a corporation, and)	
)	
ENH Medical Group, Inc.,)	
a corporation.)	

**COMPLAINT COUNSEL’S NINTH REQUEST FOR ADMISSIONS
CONCERNING AUTHENTICITY AND ADMISSIBILITY**

Pursuant to the Federal Trade Commission (“FTC”) Rules of Practice for Adjudicative Proceedings § 3.32, complaint counsel submit these requests for admissions to respondents Evanston Northwestern Healthcare Corporation and ENH Medical Group, Inc.

Definitions

1. “Evanston Northwestern Healthcare” means Evanston Northwestern Healthcare

laws of the State of Illinois, with its principal place of business located at 1301 Central Street, Evanston, Illinois 60201.

2. “Highland Park” means Highland Park Hospital, including its past or surviving parents, subsidiaries and affiliates, a hospital located near Evanston, Illinois.
3. “[REDACTED]” means [REDACTED], including its past or surviving parents, subsidiaries, and affiliates.
4. “Business Record” as defined according to Rule 803(6) of the Federal Rules of Evidence is “[a] memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, [where] it was the regular practice of that business activity to make the memorandum, report, record or data compilation....”

REQUESTS FOR ADMISSIONS

[REDACTED]

Highland Park Hospital

1748. The document attached to this Request for Admissions as Exhibit CX-05211 is authentic, genuine, and a true and correct copy of a contract (plus related papers) between [REDACTED] and Highland Park, effective [REDACTED]. The contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.
1749. The document attached to this Request for Admissions as Exhibit CX-05212 is authentic, genuine, and a true and correct copy of an amendment (plus a cover letter), effective

[REDACTED], to CX-05211. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.

1750. The document attached to this Request for Admissions as Exhibit CX-05213 is authentic, genuine, and a true and correct copy of an amendment (plus a cover sheet), effective [REDACTED], to CX-05211. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.

1751. Exhibits CX-05211 through CX-05213 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus a cover letter, a cover sheet and other related papers) between [REDACTED] and Highland Park from [REDACTED]. This set of exhibits is admissible into evidence in this matter.

1752. The document attached to this Request for Admissions as Exhibit CX-05214 is authentic, genuine, and a true and correct copy of a consent to assignment (plus a cover letter and related documents), effective [REDACTED]. The consent to assignment is a business record of one or both parties to the consent to assignment. The consent to assignment is admissible into evidence in this matter.

1753. Exhibit CX-05214 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to assignment (plus a cover letter and related documents) between [REDACTED] and Highland Park from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

Evanston Northwestern Healthcare

1754. The document attached to this Request for Admissions as Exhibit CX-05215 is authentic,

genuine, and a true and correct copy of a contract (plus a cover letter) between [REDACTED] and Evanston Northwestern Healthcare, effective [REDACTED]. The contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.

1755. Exhibit CX-05215 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus a cover letter) between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

1756. The document attached to this Request for Admissions as Exhibit CX-05216 is authentic, genuine, and a true and correct copy of a contract between [REDACTED] and Evanston Northwestern Healthcare, executed on [REDACTED]. The [REDACTED] is a business

Attachments

Thomas Brock
Philip Eisenstat
Paul Nolan
Renée Henning
Nancy Park
Counsel Supporting the Complaint
Bureau of Competition
Federal Trade Commission
Washington, D.C. 20580
Telephone (202) 326-2813
Facsimile (202) 326-2884

Dated: _____, 2004

CERTIFICATE OF SERVICE

This is to certify that on _____, 2004, I caused a copy of the foregoing to be served upon counsel for the respondents by electronic mail and first class mail delivery:

Michael Sibarium, Esquire
WINSTON & STRAWN
1400 L Street, N.W.
Washington, D.C. 20005

Charles Klein, Esquire
WINSTON & STRAWN
1400 L Street, N.W.
Washington, D.C. 20005

Duane Kelley, Esquire
WINSTON & STRAWN
35 West Wacker Drive
Chicago, IL 60601

Michael T. Hannafan, Esquire
Michael T. Hannafan & Associates, Ltd.
One East Wacker Drive
Suite 1208
Chicago, IL 60601

and delivery of two copies to:

The Honorable Stephen J. McGuire
Federal Trade Commission
600 Pennsylvania Avenue
Room 113
Washington, D.C. 20580

Thomas Brock