

subpoenas in advance of the close of discovery in this matter. As a result, Respondents are at a loss as to see how the filing of the Motion to Compel can be described as sudden.

In addition, First Health now attempts to argue the breadth and burden of ~~compliance with Respondent's subpoenas despite the fact that First Health failed to timely file any~~

objections after it accepted service of the subpoenas. *See* First Health Memorandum at 1-2.

~~Commission Rule 8.3.24(e) requires any motion to limit or quash a subpoena setting forth any~~

documents. However, as this Court is well aware, discovery in this matter is scheduled to close

Matter of State of New York v. ...

with First Health will soon yield positive results, Respondents oppose First Health's request to

extend the time period in which to respond to Respondent's Motion to Compel until October 1

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

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

ORDER

Upon consideration of Third Party First Health's Motion For Extension of Time to Oppose Respondents' Motion to Compel, Respondents' opposition thereto, and the Court being fully informed,

IT IS HERBY ORDERED that First Health's Motion is DENIED.

IT IS FURTHER ORDERED that, First Health is required to file any response to Respondents' Motion to Compel on or before _____, 2004.

Stephen J. McGuire
Administrative Law Judge

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2004, a copy of the foregoing Respondents' Opposition to Third Party First Health's Motion For Extension of Time to Oppose Respondents' Motion to Compel was served by email and first class mail, postage prepaid, on:

The Honorable Stephen J. McGuire

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(two courtesy copies delivered by messenger only)

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