

BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

**Evanston Northwestern Healthcare Corporation,**  
a corporation, and

**ENH Medical Group, Inc.**  
a corporation.

Docket No. 9315

**RESPONDENTS' REPLY TO ADVOCATE HEALTH CARE'S RESPONSE TO  
RESPONDENTS' MOTION TO COMPEL THIRD PARTY DISCOVERY**

Respondents Evanston Northwestern Healthcare and ENH Medical Group (collectively "Respondents") hereby file this Reply to Advocate Health Care's ("Advocate") September 10, 2004 Response to Respondents' Motion to Compel Third Party Discovery.

Advocate has provided no legitimate excuse for its failure to respond to four document subpoenas served on the hospital system almost *five* months ago. Advocate does not

matters" merely to determine if anything contained within those boxes are responsive to Respondents' subpoenas.<sup>1</sup>

As detailed in Respondents' Motion to Compel, Respondents are seeking discrete categories of documents. *See* Respondents Mot. to Compel at 7. While Respondents' subpoenas *duces tecum* request numerous categories of documents, Respondents are primarily seeking the production of the following documents and/or data:

• Complete contact files with third parties, including [REDACTED]

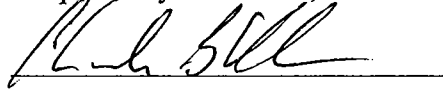
(Requests 2 and 26)

- Strategic plans and market studies (Requests 3 and 4)
- Patient origin data (Request 14)

• Charge Description Master (Request 21)

DATED: September 13, 2004

Respectfully submitted,



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*Attorneys for Respondents*

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were in fact distinct from that initial production. After failing to receive any additional information regarding the production, Respondents filed its Motion to Compel on August 27, 2004.

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

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Docket No. 9315

**ORDER**

Upon consideration of Respondents' Motion to Compel Advocate Health Care to Produce Documents Requested by Subpoena Duces Tecum, and any opposition thereto, and the Court being fully informed,

IT IS HERBY ORDERED that Respondents' Motion is GRANTED.

IT IS FURTHER ORDERED that within seven (7) days of issuance of this Order, Advocate shall provide full and complete responses to Requests numbers 2, 3, 4, 14, 26 and 31 in the subpoenas *duces tecum* served on or about April 19, 2004 on the following four Chicago area hospitals owned and operated by Advocate Health Care: (1) Advocate Good Sheppard Hospital, (2) Advocate Lutheran General, (3) Advocate North Side Health Network (a/k/a Advocate Illinois Masonic Medical Center), and (4) Advocate Devonwood Hospital Medical Center

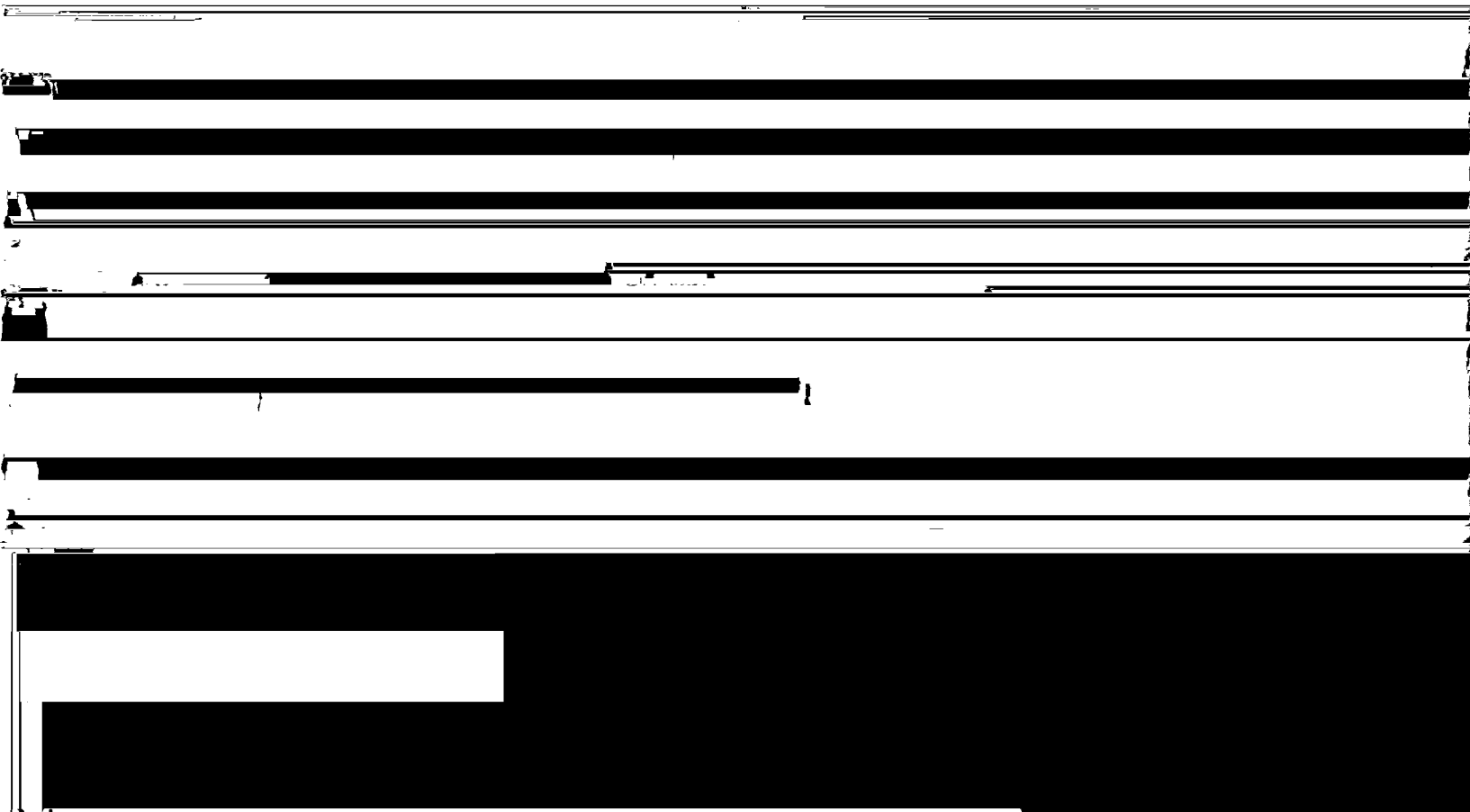
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Date: \_\_\_\_\_



**CERTIFICATE OF SERVICE**

I hereby certify that on September 13, 2004, a copy of the foregoing Respondents' Reply to Advocate Health Care's Response to Respondents' Motion to Compel Third Party Discovery was served by email and first class mail, postage prepaid, on:

The Honorable Stephen J. McGuire  
Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave. NW (H-106)

(two courtesy copies delivered by messenger only)

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