

below, the Parties jointly submit that there are two good causes for the requested modest extension of the existing scheduling order deadlines and the 1

First, it has come to the parties' attention that it will be extremely difficult, if not impossible, to obtain hotel rooms in or around the District for the trial days preceding the presidential inauguration on January 20, 2004. Several members of the trial team representing

Respondents, as well as virtually all of the witnesses for all Parties, reside out-of-town. It thus would be impracticable to start the hearing on January 13, 2004, as contemplated in the Scheduling Order. We also understand that the Federal Trade Commission itself will be closed on January 17, 2004, for the Martin Luther King holiday, and the federal building in the District is expected to be closed for security reasons at least on January 20, 2004, for the inaugural consistent with prior inaugurations.

Second, the Parties request that the hearing be continued until February 10, 2004, to ensure that their respective experts have adequate time to complete their

three weeks to work with the QM software but the deadline for the QM reports is October 19, 2004.³

Accordingly, there exists "good cause" to extend this deadline.

A limited extension of expert discovery is also warranted because the Parties

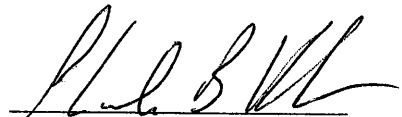
Under this proposed revised schedule, the Parties will have less than one month from the close of expert discovery: (1) to finalize joint stipulations of law, facts and authenticity; (2) to file pretrial briefs; and (3) to prepare for a hearing on February 10, 2004. This tight schedule is consistent with the Commission's policy of conducting a hearing as soon as practicable.

The Parties request immediate relief concerning this motion in light of the existing Scheduling Order deadlines. For example, Respondents' expert witness reports are currently due on October 13, 2004, and the disposition of this motion may materially affect how

Respondents' experts will analyze material in Commission's possession.

CONCLUSION

For the foregoing reasons, the Parties request that this Court grant their Joint Motion to Enter Third Revised Scheduling Order.



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Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on October 8, 2004, a copy of the foregoing Joint Motion to Enter Third Revised Scheduling Order was served (unless otherwise indicated) 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)
Washington, DC 20580

(two courtesy copies delivered by messenger)

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**UNITED STATES OF AMERICA
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

ORDER

Upon consideration of the Motion of Evanston Northwestern Healthcare Corporation and ENH Medical Group, Inc. filed on June 15, 2004, and the Court being fully informed, it is this _____ day of _____, 2004

hereby

ORDERED, that the Motion is GRANTED; and it is further

ORDERED, that the following deadlines set in the Court's Second Revised Scheduling Order dated June 15, 2004, are hereby modified as in the Third Revised Scheduling Order

**UNITED STATES OF AMERICA
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
Public

THIRD REVISED SCHEDULING ORDER

- November 1, 2004 - Deadline for filing motions for summary decision.
- November 2, 2004 - Respondents' Counsel provides expert witness reports.

~~November 22, 2004~~

- November 23, 2004 - Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s). Any such reports are to be limited to rebuttal of matters set forth in Respondents' expert reports. If material outside the scope of fair rebuttal is presented, Respondents will have the right to seek appropriate relief (such as ~~staying Complaint Counsel's~~

demonstrative, illustrative, or summary exhibits), and a brief summary of the testimony of each witness.

Complaint Counsel serves courtesy copies on ALJ of its final

December 8, 2004

- Respondents' Counsel provides to Complaint Counsel its final

Trial exhibits will be admitted or excluded at this conference, to the extent practicable.

February 10, 2005 - Commencement of Hearing, to begin at 10:00 a.m. in room 532, Federal Trade Commission Building, 600 Pennsylvania Avenue, N.W., Washington, D.C.

The "Additional Provisions" set forth in the Schedule of Exhibits are as follows:

[REDACTED]