

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

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|--|---|-----------------------|
| In the matter of |) | |
| |) | |
| Evanston Northwestern Healthcare Corporation, |) | |
| a corporation, and |) | Docket No. 9315 |
| |) | |
| ENH Medical Group, Inc., |) | Public Version |
| a corporation. |) | |

**RESPONDENTS' FIFTH REQUESTS FOR ADMISSIONS
CONCERNING AUTHENTICITY AND ADMISSIBILITY**

Pursuant to the Federal Trade Commission's Rules of Practice ("Rules"), 16 C.F.R. § 3.32, and the Scheduling Orders entered in this action, Respondents Evanston Northwestern Healthcare Corporation ("ENH") and ENH Medical Group, Inc. ("ENH Medical Group") hereby request that Complaint Counsel answer the following requests for admissions concerning authenticity and admissibility within 20 days of service of this request, in accordance

NS JTJET1266.4 34776 37932 -.14 refBT12 0 0 12 434.7 435022 Tm0 Tc0

D. The term "business record" is defined according Rule 803(6) of the Federal Rules of Evidence as "[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[.]"

E. Unless otherwise defined, all words and phrases used in this First Set of Interrogatories shall be accorded their usual meaning as defined by Webster's New Universal Unabridged Dictionary (2d ed. 1983).

REQUESTS FOR ADMISSIONS

Provena Saint Therese Medical Center

1. The document attached to this Request for Admissions as Exhibit 1 and Bates labeled VIS 0071861-0071879 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

Respectfully Submitted,

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Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2004, a copy of the foregoing Respondents' Fifth Request for Admissions Concerning Authenticity and Admissibility (Public Record Version) was served by email and first class mail, postage prepaid, on:

The Honorable Stephen J. McGuire
Chief Administrative Law Judge
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