



3. The managed care materials<sup>1</sup> consist of a variety of managed care contracts and addenda, as well as a detailed managed care contract analysis recently prepared for SCH by an external consultant, at significant cost.

4. All of these materials reflect the end-product of intense negotiations between SCH and various third party payors in the

marketplace served by SCH and its competitors is determined, in

\_\_\_\_\_ and \_\_\_\_\_ and rates negotiated by providers

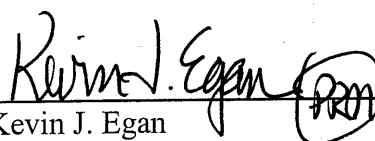
6. Likewise, the second category of material, relating to strategic planning at SCH<sup>2</sup>, is obviously also directly material to the ongoing business of SCH. These trial exhibits include a thorough Competitor/Market Share analysis, several reports of SCH's Marketing and Strategic Planning Committee to the SCH Board of Directors and also a memorandum prepared by counsel outlining strategies for a presentation to the Illinois Health Facilities Planning Board, which was considering the request of SCH to perform open heart surgery.<sup>3</sup>

7. As was the case with the managed care materials referenced above, these strategic planning materials have understandably been kept confidential by SCH as any public disclosure of these studies and

market reviews would also yield massive competitive injury to SCH.

WHEREFORE, SCH respectfully requests that the Law Judge exercise his judicial discretion and grant SCH's Motion for *In Camera* Status for those trial exhibits identified in Exhibit A, attached hereto, so as to prevent public disclosure of these materials and serious competitive injury to SCH.

Respectfully submitted,

A handwritten signature in black ink that reads "Kevin J. Egan". To the right of the signature is a circular stamp containing the letters "PRM". The signature is written over a horizontal line.

Kevin J. Egan  
Counsel to Swedish Covenant Hospital

Kevin J. Egan

---

---

321 North Clark Street, Suite 2800  
Chicago, Illinois 60610-4764  
312.832.4361  
kegan@foley.com

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing documents was served on counsel for the respondents by electronic mail and first class mail delivery:

Michael L. Sibarium, Esq.  
Charles B. Klein, Esq.  
Winston & Strawn LLP

1400 L Street NW  
Washington, D.C. 20005

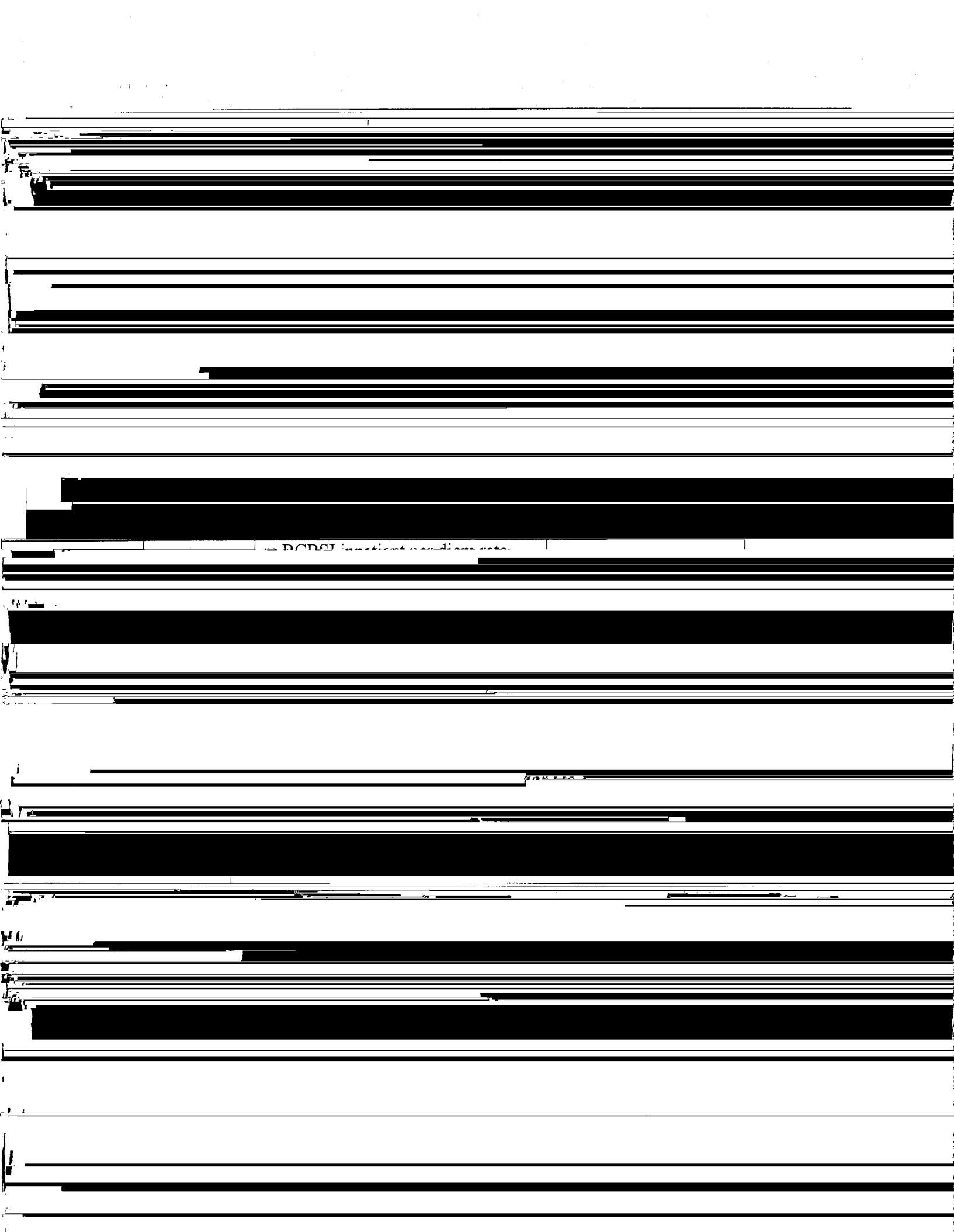
Duane M. Kelly, Esq.  
David Dahlquist, Esq.  
Winston & Strawn, LLP  
35 West Wacker Drive  
Chicago, IL 60601-9703

Jeff Dahnke, Esq.

Federal Trade Commission  
Bureau of Competition  
Washington, D.C. 20580

**EXHIBIT A**  
**Swedish Covenant Hospital Productions**

Exhibit No.	Date	Description	Bates Range <sup>4</sup>
RX-0326	04/01/98	Hospital Service Agreement between Swedish Covenant Hospital and HMO Illinois	0000347-0000351
RX-0438	01/01/99	Amendment to Blue Cross PPO Hospital Contract for Swedish Covenant Hospital	0000425-0000427
RX-0350	06/24/98	Points for meeting of Health Facilities Planning Board Committee on Open Heart.	0000841-4
RX-0369	05/01/96	Provider Agreement between	0001349-85



BOND

Exhibit No.	Date	Description	Bates Range <sup>4</sup>
P.Y. 1578	12/16/03	Swedish Covenant Hospital and	SCH 006074-006131