

PUBLIC RECORD

UNITED STATES OF AMERICA

Disclosure of this information will likely result in a clearly defined,

articulated by the Commission in In re Kaiser Aluminum & Chem. Corp., 103 F.T.C. 500 (1984), General Foods Corp., 95 F.T.C. 352 (1980), Bristol-Myers Co., 90 F.T.C. 455 (1977) and H.P. Hood & Sons, Inc., 58 F.T.C. 1184 (1961). See United's Motion for In Camera Treatment filed January 4, 2005 (discussing at length the standard for seeking *in camera* protection of data).

Conclusion



TO BE FILED UNDER SEAL

CONTAINS CONFIDENTIAL INFORMATION

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

In the Matter of)

EVANSTON NORTHWESTERN)
HEALTHCARE CORPORATION,)

a corporation, and)

ENH MEDICAL GROUP, INC.,)

a corporation)

Docket No. 9315

Supplemental Declaration of Jillian Foucré

1. I submit this declaration in support of United's Supplemental Motion for

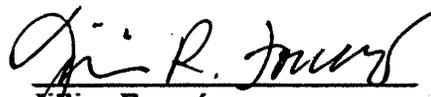
in the loss of a business advantage.

5. In addition, these data files contain certain patient-related information, including patients' member identification numbers, ages, zip codes, and diagnoses, which identifies, or could be used to identify, individual patients. Disclosure of this information may violate United's obligations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to protect the confidentiality of data that may be used to identify an individual patient.

6. The information contained in CX 3020 is considered extremely confidential and is maintained as confidential by United.

I declare, under penalty of perjury, that the foregoing is true and correct.

This 13th day of January, 2005
Minnesota, Minneapolis


Jillian Foucré

**Exhibits 1-A and 1-B
Filed Under Seal**



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BEFORE FEDERAL TRADE COMMISSION

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)

a corporation)
)

Affidavit of Elizabeth Margaret Avery





"Dahnke, Jeff"
<IDAHNKE@ftc.gov>

To: Elizabeth Avery/NY/WGM/US@WGM
cc:

Counsel intend to place certain documents submitted by UHC on our exhibit list in the matter against Evanston Northwestern Healthcare (Docket No. 9315), I'm attaching to this email the image of an additional item that has been added to, or was inadvertently omitted from, the exhibit list. Attached is CX 3020 (listing data files provided by UHC during the investigation) which should have been included in the earlier notice. Should you have any questions, please do not hesitate to contact me at (202) 326-2111.

Jeff Dahnke
Federal Trade Commission
<<CX03020-001.PDF>>



CX03020-001.PDF

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

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In the Matter of)
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HEALTHCARE CORPORATION,)
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Docket No. 9315

SUPPLEMENTAL ORDER

Upon consideration of Nonparty United HealthCare of Illinois, Inc.'s ("United") Supplemental Motion For *In Camera* Treatment of Confidential and Competitively Sensitive Data, it is hereby ORDERED that United's motion is GRANTED. The data contained in the files designated as CX 3020 shall receive *in camera* treatment.

[Signature]



CERTIFICATE OF SERVICE

Plaintiff hereby certifies that on January 18, 2005, I caused true and correct

copies of United HealthCare of Illinois, Inc.'s Supplemental Motion for *In Camera* Treatment of Confidential and Competitively Sensitive Data to be served on the following persons:

By Hand Delivery:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.

Washington, D.C. 20580

Hon. Stephen McGuire
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Room H-112
Washington, D.C. 20580

By Federal Express:

David Dahlquist, Esq.
Winston & Strawn LLP
35 W. Wacker Drive
Chicago, Illinois 60601-0702

CERTIFICATE OF SERVICE

I, Anant Raut, hereby certify that on January 21, 2005, I caused true and correct copies of the public version of United HealthCare of Illinois, Inc.'s Supplemental Motion for *In Camera* Treatment of Confidential and Competitively Sensitive Data to be served on the following persons:

By Hand Delivery:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Room H-112
Washington, D.C. 20580

By Federal Express:

David Dahlquist, Esq.
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Counsel to Evanston Northwestern Healthcare Corporation
and ENH Medical Group, Inc.