

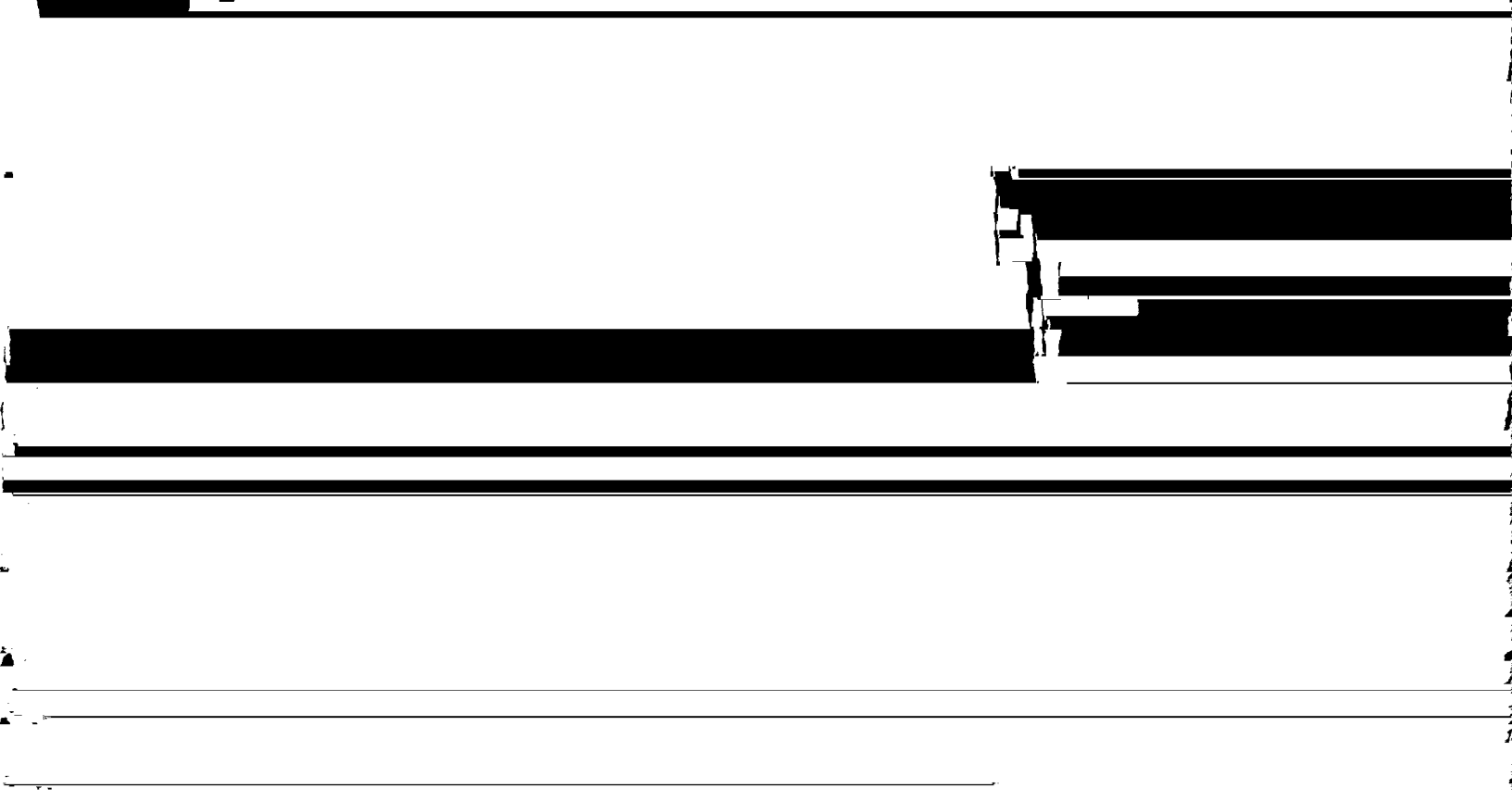
**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: Deborah Platt Majoras, Chairman
 Thomas B. Leary
 Pamela Jones Harbour
 Jon Leibowitz

)	
In the Matter of)	
)	Docket No. 9315
EVANSTON NORTHWESTERN)	
HEALTHCARE CORPORATION,)	Public Version
)	
a corporation.)	
)	

**JOINT MOTION FOR EXTENSION OF
TIME AND LENGTH OF APPEAL BRIEFS**

Complaint Counsel and Respondent respectfully request that the Commission grant this Joint Motion for Extension of Time and Length of Appeal Briefs established by FTC Rule of Practice § 2.52. Due to the length and complexity of the record in this matter, the important issues



Procedural History

1. The Complaint in this matter was issued on February 10, 2004. An eight week trial was held between February 2005 and April 2005 before Administrative Law Judge Stephen J. McGuire. The trial included live testimony from over 40 witnesses, including 35 live trial witnesses and eight witness who testified by deposition. During the 30 trial days over 1,600 exhibits were entered into evidence and over 6,000 pages of trial transcripts were created.

deadline for filing an initial decision on February 9, 2005, April 6, 2005, June 8, 2005, August 8,

7. The parties respectfully request a reasonable extension of time in which to file their appeal briefs. The parties have agreed to jointly propose the following briefing schedule:

- Respondent's Appeal Brief shall be filed on or before December 16, 2005;
- Complaint Counsel's Response and Cross-Appeal Brief shall be filed on or before February 3, 2006;
- Respondent's Reply and Cross-Appeal Response Brief shall be filed on or before March 15, 2006;
- Complaint Counsel's Cross-Appeal Reply Brief shall be filed on or before April 5, 2006.

8. The parties submit that the minimal extension of time will permit a more considered briefing of the issues before this Commission and still allow the Commission opportunity to complete all briefing and schedule an oral argument within a reasonable time frame.

Request for Extension of Length

9. The parties further request a reasonable extension of the word limitations established by FTC Rule § 3.52. The parties assert that a word extension is proper due to the lengthy trial record and complex underlying factual issues.

11. The parties have agreed to jointly propose the following word limitations:

- Respondent's Appeal Brief shall be limited to 30,000 words, but is not to exceed 100 pages;
- Complaint Counsel's Response and Cross-Appeal Brief shall be limited to 42,000 words, but is not to exceed 140 pages;
- Respondent's Reply and Cross-Appeal Response Brief is limited to 30,000 words, but is not to exceed 100 pages;
- Complaint Counsel's Cross-Appeal Reply Brief is limited to 18,000 words, but is not to exceed 60 pages.

CONCLUSION

For the reasons stated above, the parties respectfully request that this Joint Motion for Extension of Time and Length of Appeal Briefs as agreed to by the parties be granted.

Thomas H. Brock/MS

Duane M. Kelley/MS

Thomas H. Brock

Duane M. Kelley

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**ORDER GRANTING JOINT MOTION FOR
EXTENSION OF TIME AND LENGTH OF APPEAL BRIEFS**

Upon consideration of the parties Joint Motion for Extension of Time and Length of
Appeal Briefs it is hereby **ORDERED** that the Motion is **GRANTED**. The parties shall file their

- Complaint Counsel's Rebuttal Brief shall be filed on or before April 5, 2006 and be limited to 18,000 words, but is not to exceed 60 pages.

Dated: October __, 2005

By the Commission

Donald S. Clark, Secretary

I hereby certify that on October 28, 2005, copies of the foregoing Joint Motion for

and first class mail, postage prepaid, on: