

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of)	
)	
)	File No. 061 0172
Roaring Fork Valley Physicians I.P.A., Inc.,)	
a corporation.)	

AGREEMENT CONTAINING CONSENT ORDER TO CEASE AND DESIST

The Federal Trade Commission ("Commission"), having initiated an investigation of certain acts and practices of Roaring Fork Valley Physicians I.P.A., Inc., hereinafter sometimes referred to as "Proposed Respondent" and it now appearing that Proposed Respondent is willing to enter into an Agreement Containing Consent Order to Cease and Desist ("Consent Agreement") from certain acts and practices, and providing for other relief,

IT IS HEREBY AGREED by and between Proposed Respondent and its attorneys and counsel for the Commission that:

1. Proposed Respondent is a not-profit corporation, organized, existing, and doing business under and by virtue of the laws of the State of Colorado, with its principal

by the Commission it, together with the draft Complaint contemplated hereby, will be placed on the public record for a period of thirty (30) days and information with respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this Consent Agreement and notify the Proposed Respondent, in which event it will take such action as it may consider appropriate or issue and serve its Complaint (in such form as the circumstances may require) and Decision and Order, in disposition of the proceeding.

5. This Consent Agreement is for settlement purposes only and does not constitute an admission by Proposed Respondent that the laws have been violated as alleged in the draft Complaint here attached, or that the facts as alleged in the draft Complaint, other than jurisdictional facts, are true.
6. This Consent Agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Commission Rule 2.34, 16 C.F.R. § 2.34, the Commission, without further notice to Proposed Respondent, issue and serve its Complaint corresponding in form and substance with the draft Complaint here attached and the Decision and Order in disposition of the proceeding and (2) make information public with respect thereto. When so entered the Decision and Order shall have the same force and effect, and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The Decision and Order shall become final upon service. Delivery of the Complaint and the Decision and Order to Proposed Respondent by any means specified in Commission Rule 4.4(a), 16 C.F.R. § 4.4(a), shall constitute service. Proposed Respondent waives any right it may have to any other manner of service. The Complaint may be used in construing the terms of the Decision and Order, and no agreement, understanding, representation, or interpretation not contained in the Decision and Order or the Consent Agreement may be used to vary or contradict the terms of the Decision and Order.
7. Proposed Respondent has read the draft Complaint and the Decision and Order contemplated hereby. By signing this Consent Agreement, Proposed Respondent represents that it can accomplish the full relief contemplated by this Consent Agreement. Proposed Respondent represents that, if a payor exercises its right to terminate its preexisting contract pursuant to Paragraph VI.B of the Decision and Order, Proposed Respondent has the authority to terminate that contract without obtaining the consent of any person, including but not limited to, any member of Proposed Respondent. Proposed Respondent understands that once the Decision and Order has been issued, it will be required to file one or more compliance reports showing that it has fully complied with the Decision and Order. Proposed Respondent agrees to comply with Paragraphs II through VI of the draft Decision and Order from the date it signs this Consent Agreement. Proposed Respondent further understands that it may be liable for civil penalties in the amount provided by law for each violation of the Decision and Order after the Decision

and Order becomes final.

Roaring Fork Valley Physicians I. P. A., Inc.

By: _____
Brian C. Murphy M.D.

Signed this _____ day _____, 2009

Counsel for Roaring Fork Valley Physicians
I.P.A., Inc.

Signed this _____ day _____, 2009

FEDERAL TRADE COMMISSION

By: _____
Constance M. Saemi
Linda B Blumeneich

APPROVED:

Markus H. Meier 12.0000 Tf (_____)Tj ET 1.00000 0.00000 0.00000 1.00000 0.00000

Richard Feinstei
Director
Bureau of Competitōn
Federal Trade Commission