

~~PUBLIC~~

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

02 24 2016
581133

In the Matter of

ORIGINAL

Dated: February 24, 2016

Respectfully submitted,

s/ David E Dahlquist

David E. Dahlquist Esq.
Michael S. Pullos Esq.
Winston & Strawn LLP
35 W. Wacker Drive
Chicago, IL 60601
Phone: (312) 558 6000
Fax: (312) 558 7000
DDahlquist@winston.com
MPullos@winston.com

Counsel for Respondent NorthShore
University HealthSystem

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

In the Matter of)	Docket No. 9369
)	
Advocate Health Care Network, a corporation;)	
Advocate Health and Hospitals Corporation, a corporation;)	
and)	PUBLIC DOCUMENT
NorthShore University HealthSystem, a corporation.)	

CERTIFICATION OF MEETING AND CONFERENCE

Pursuant to Paragraph 4 of the Scheduling Order entered on January 20, 2016, Respondents' counsel certifies that Counsel for Respondents met and conferred with Complaint's counsel on February 24, 2016 in a good faith effort to resolve the issues in Respondents' Motion for Leave to File Reply in Support of Respondents' Motion to Stay the Administrative Hearing and that the parties were unable to reach agreement.

Dated: February 24, 2016

Respectfully submitted,

s/ David E. Dahlquist

David E. Dahlquist Esq.
Michael S. Pullos Esq.
Winston & Strawn LLP
35 W. Wacker Drive
Chicago, IL 60601
Phone: (312) 5585600
Fax: (312) 5585700
DDahlquist@winston.com
MPullos@winston.com

Counsel for Respondent NorthShore
University HealthSystem

s/ Robert W. McCann

Robert W. McCann, Esq.
Kenneth M. Vorrasi Esq.
Drinker Biddle & Reath LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005
Phone: (202) 235149
Fax: (202) 8428465
Robert.McCann@dbrom
Kenneth.Vorrasi@dbr.com

J. Robert Robertson, Esq.
Leigh L. Oliver, Esq.
Hogan Lovells LLP
555 13th St. NW
Washington, D.C. 20001
Phone: (202) 637600
Fax: (202) 6375910
robby.robertson@hoganlovells.com
leigh.oliver@hoganlovells.com

Counsel for Respondents Advocate Health
Care Network and Advocate Health and
Hospitals Corp.

ATTACHMENT A

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

Dated: February 24, 2016

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2016, I caused a true and accurate copy of the foregoing to be served electronically through the FTCS filing system and on February 24, 2016, I caused a true and accurate copy of the foregoing to be served as follows:

J. Thomas Greene, Esq.
Charles Loughlin, Esq.
Sean P. Pugh, Esq.
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, D.C. 20580
Telephone: (202) 326196
Facsimile: (202) 3262286
Email: tgreene2@ftc.gov
Email: cloughlin@ftc.gov
Email: spugh@ftc.gov

The Honorable D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
RM. H-110
Washington, DC 20580

Counsel for Complainant Federal
Trade Commission

s/Laurie T. Curnes

Laurie T. Curnes

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed documents that is available for review by the parties and the adjudicator.

Dated: February 24, 2016

s/Laurie T. Curnes

Laurie T. Curnes

Exhibit 1

1!" # * ' 2 \$\$ +) ! + + # D) ' !# !"
 1 + " #% "\$ "# #% + ; #% D#% # #! #%
 E% #%)+% ! 1# D \$ 2 " #E # #%" 1 + * #% D
 #% # #% + ' (1 H! # # \$ "# ! " = !"
 4 " + ("# ' E #%+ # ") " J (\$ #% J\$ "#
 " \$ "#+ + J% ' #+ 2 #% !)%#% " % "+ + #% #E
 .. ! E ! 1 % 2 (\$ # .. ! ++ # #%
 (# " + * G!+#1 A# ..E G!+#1 A#' 2 #% # #A+
 ++ " # # D ! D E 1 + " E D+#) # #% + 1
 \$ "# ! " E% E A" "!) +#")%# # ! #"
 !# ..

345 6 3 !A" +) #E # #%" \$!+ !"
 # 2 " !A" +) ..
 ? 55 5 * A(+) ..
 345 6 3 .. #E # #%" ..
 ? 55 5 .. #E # #%" # #
 7 + = !" 4 " E " \$" \$ " 1 ' % #%
 \$ # + #) 2 #% (2 "#! ((1 # ++ # #%
 1 " # +E A2 " 2 1 1 ++ # ! ! + #
 1 + +!" +
 4 E 2 " #% G!+# + !# .. 1 #A+ #
 \$" ' (.. !# #% A2 G!+# + #+ #% +## (!# +
 " 1. 1 2 "+ = !" 4 "A++# 1 "1 1 # #
 "1 " ; A # D D # #% ## 1 # " 1) # #% # ' D
 # #% (E #% + (\$\$ " \$ " # +!)) +# + 3% # #! +

* 3 4 5 6 * 3 5 & 3 7 3 8 * 3 * 3 6 3
8 3 4 5 3 4 5 & * 3 * 3 8 * * *
5 7 3 5 & * 9 * *

8 5 & 5 7 3 7 & 5 * * 1 -
3 7 3 5 8 * * * -
: # + * % p = * Â . 4 ` Ð Ð € -
2 - # Æ @ Q Ð Ð] * Â € • E
7 & 9 7 3 4 5 7 3 4 7 5 5 3 ; < -
7 & 9 7 3 4 5 7 3 4 7 & 4 : * 3 7 -
: 7 3 * 1 3 4 4 5 -
6 * 9 5 * 3 4 5 7 3 4 = 3 5 - %) * +
- > ! " -
& V > V V P È X - Ð Ð - - > - - ! - " - ! Ä % * Ó P ° ` P : Â € = 2 - Ð & € Ð ' Q € È

! # ' & " ' " # " i (! " # \$ " # "
%) * +
/ ' (1 ! + ! " #) 2

% 2 # 1 # " # % ! \$ " (! " # ; # " + 1 ! % 2 #

1 # % # " F ! # 3 % % 2 # % + (+ # 1 " 1 +

' 1 + G % (+ % " " F ! # 7 1 ..

3 4 5 6 7 ! + ! A " # ..

5 3 ? .. G " G # = ! " 4 " #) 2

! + + (# (

3 4 5 6 7 = ! A " # G " " 1 ' ! # # % " ' # #

\$ " + # + ' 2 ! + ..

5 3 ? %

3 4 5 6 7 .. # % A " # D) ' ! # # % + # %

G ## \$ " + # 7 1 ..

5 3 ? = ! " 4 " % 1 + A # G #

(# \$ " + # % + + * 1 A # " * % 2 \$ " + (h B°= . ! • Ā W Ę ě

!# (! 1 "+# 1) + # % ## % 83 + \$" 1) \$ "

" D +

@ 55 ?5 7'+ !# = !" 4 " * .. \$" \$ +

% # \$ " # " D " ' "# + 1 % + # + G " 1 # %

1 (+ # " # 2 (\$ # + # " 1 G A" .. # % #

\$ " ++ + # !) ; G % 2 + % 1 !) "

D 8" 1 J# G D 3" + D # ' + # 3 % #

G 1 \$ 1 G % # % 1 (+ # " # 2 G F ! 1) 1 1 + ! #

+ # ! " " # G ' 2 # % # 1 ## ' .. # %

% + " 3 % " " 2 " + # " #) ! 1 + " # %

1 (+ # " # 2 G F ! 1) # "(+ G % % 1 + # + #)

p # % & ! @ (@ p 3 A a T A B E A p Ä (@ D % p 0 .. D € G. E + %

ö PÄCEQp

+ # ! H E P D ö ! @ Ä) 2 2 % ' m >

; # % D # % #) 2 # % " # 2 ++ (\$ J +
% # = ! 4 " .. * (# A + # # % # # A + # (\$ J ' ! #
A + " # 2 ++ 1 (1) # % + G + # # % D
+ (# %) # % " 1 " G % # # + G # % ! " 1 " + G
! 1 " + # 1 # # % " 1 + (D + (\$ #) 1 + +
3 4 5 6 7 8 @ # (* 1 A # G ## " ! + % !
* A 2) # \$ % # (D 2 " + # D " ! 1 "
G (" (! # + ! ; % 1 A # G \$ + + # % +
@ 5 5 ? 5 = +
5 3 ? ! " = ! " 4 "
& 7 4 C 6 * ? 3 = + = ! " 4 "
3 4 5 6 7 8 # A + \$ + + # % + ((# " ; G
"

5 3 ? 3 % D ! = ! " 4 "
3 4 5 6 7 8 3 % D !
, ; % " ! \$ # % ! " # 2 # + ## # # # % "(## "+
" G % % % G) \$ " 1) + G " % ? -
3 4 5 5 2) 8 1 " 3 " 1
((++ 2 7 1 2 # 4 # % "
& 7 4 C 6 * ? 3 = ! " 4 " ! ") ! + " (# %
8 3 " + # # % % * ' 2
, " \$! + -
3 4 5 6 7 8 D G " ' D
7 1 ! + F ! + ## (D " G % # ! " ' F #
+ # % \$ # + A \$ + # + 2 " + \$ ' ! # % G

Exhibit 3

Notice of Electronic Service

I hereby certify that on February 24, 2016, I filed an electronic copy of the foregoing Respondents' Motion for Leave to File Reply in Support of Motion to Stay Administrative Hearing, with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on February 24, 2016, I served via E-Service an electronic copy of the foregoing Respondents' Motion for Leave to File Reply in Support of Motion to Stay Administrative Hearing, upon:

Robert McCann
Esq.
Drinker Biddle & Reath LLP
robert.mccann@dbr.com
Respondent

Kenneth Vorrasi
Esq.
Drinker Biddle & Reath LLP
kenneth.vorrasi@dbr.com
Respondent

John Roach IV
Esq.
Drinker Biddle & Reath LLP
lee.roach@dbr.com
Respondent

Jonathan Todt
Esq.
Drinker Biddle & Reath LLP
jonathan.todt@dbr.com
Respondent

David E. Dahlquist
Esq.
Winston & Strawn LLP
DDahlquist@winston.com
Respondent

Michael S. Pullos
Esq.
Winston & Strawn LLP
MPullos@winston.com
Respondent

Conor A. Reidy
Esq.
Winston & Strawn LLP
creidy@winston.com

Respondent

Laura B. Greenspan
Esq.
Winston & Strawn LLP
lgreenspan@winston.com
Respondent

Mark W. Lenihan
Esq.
Winston & Strawn LLP
MLenihan@winston.com
Respondent

Laurie T. Curnes
Esq.
Winston & Strawn LLP
lcurnes@winston.com
Respondent

John R. Robertson
Attorney
Hogan Lovells LLP
robby.robertson@hoganlovells.com
Respondent

Leigh L. Oliver
Esq.
Hogan Lovells LLP
leigh.oliver@hoganlovells.com
Respondent

Emily Bowne
Attorney
Federal Trade Commission
ebowne@ftc.gov
Complaint

Christopher J. Caputo
Attorney
Federal Trade Commission
ccaputo@ftc.gov
Complaint

Timothy C. Carson
Attorney
Federal Trade Commission
tcarson@ftc.gov
Complaint

Charles Dickinson
Attorney
Federal Trade Commission
cdickinson@ftc.gov
Complaint

Kevin Hahm
Attorney
Federal Trade Commission

khahm@ftc.gov
Complaint

Sean P. Pugh
Attorney
Federal Trade Commission
spugh@ftc.gov
Complaint

J. Thomas Greene
Attorney
Federal Trade Commission
tgreene2@ftc.gov
Complaint

Sophia A. Vandergrift
Attorney
Federal Trade Commission
svandergrift@ftc.gov
Complaint

Jamie France
Attorney
Federal Trade Commission
jfrance@ftc.gov
Complaint

Alexander J. Bryson
Attorney
Federal Trade Commission
abryson@ftc.gov
Complaint

Anthony R. Saunders
Attorney
Federal Trade Commission
asaunders@ftc.gov
Complaint

Laurie Curnes
Attorney