

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

In the matter of)	
)	
Evanston Northwestern Healthcare Corporation,)	
and)	Docket No. 9315
)	
ENH Medical Group, Inc.,)	
Respondents.)	
)	

COMPLAINT COUNSEL’S MOTION FOR SCHEDULING OF CERTAIN DEPOSITIONS BEYOND DISCOVERY DEADLINE

Pursuant to the Federal Trade Commission’s Rules of Practice (“FTC Rules”), 16 C.F.R. § 3.21(c)(2) and 3.22, Complaint Counsel moves for modification of the current Scheduling Order to allow for the rescheduling of two non-party depositions. The current Scheduling Order sets a September 13, 2004, discovery cut-off date. After several attempts by Complaint counsel to, Respondents has not entered and counsel for the non-parties raise no objection to this request.

Complaint Counsel issued a subpoena *ad testificandum* dated April 14, 2004, to Dr. Laurie Hochberg, an affiliate physician of ENH Medical Group, Inc. Complaint Counsel also issued a subpoena *ad testificandum* dated August 20, 2004, to Thomas O’Reilly, an employee of ITW Corporation (“ITW”). These individuals are on either Respondents’ or Complaint Counsel’s witness list.

Although Complaint Counsel had established a date for both depositions, due to delays in retaining counsel or changes in counsel, the depositions could not occur as originally scheduled. The earliest possible date to accommodate Dr. Hochberg and her counsel is September 28, 2004, and the earliest possible date to accommodate Mr. O’Reilly and his counsel is September 30,

2004

For the above reasons, Complaint Counsel respectfully requests the Court grant permission to reschedule the depositions as indicated above.

Respectfully submitted,

September 10, 2004

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ORDER

Upon consideration of Complaint Counsel’s Motion for Scheduling of Certain Depositions Beyond Discovery Deadline, it is hereby

ORDERED, that the Motion is GRANTED; and it is further

ORDERED, that the deposition of Dr. Laura Hochberg shall be conducted on or before September 28, 2004 and the deposition of Mr. Thomas G. O’Reilly shall be conducted on or before September 30, 2004.

Entered this _____ day of September, 2004.

The Honorable Stephen J. McGuire
CHIEF ADMINISTRATIVE LAW JUDGE
Federal Trade Commission

CERTIFICATE OF SERVICE

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

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