

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

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In the matter of	)	
	)	
<b>Evanston Northwestern Healthcare</b>	)	
<b>Corporation,</b>	)	Docket No. 9315
a corporation, and	)	
	)	
<b>ENH Medical Group, Inc.,</b>	)	
a corporation.	)	
_____	)	

**COMPLAINT COUNSEL’S RESPONSE TO THIRD PARTY  
UNICARE HEALTH PLANS OF THE MIDWEST, INC.’S MOTION FOR EXTENSION**

On May 6, 2004, third party Unicare Health Plans of the Midwest, Inc. (“Unicare”) filed a motion for extension seeking a thirty day extension for filing a motion to quash or limit the document request of Respondents. Complaint Counsel understands that Unicare will not accept anything less than 14 day extension and that even Respondents are willing to give Unicare an extension of 7 days. Even a 7 day extension to file a motion to limit poses a threat to the discovery schedule as set by the Court in its March 24, 2004, Scheduling Order. The filing of a motion to quash or limit will be just the beginning of a lengthy process as the Respondents and Unicare will then have to negotiate limitations to the subpoena before Unicare even starts to produce any documents.

When third party Humana, Inc. filed a similar motion – with the consent of the Respondents, Complaint Counsel advised the Court in its May 5, 2004, response that such extensions would seriously jeopardize the litigation schedule. Unicare’s motion and Respondents’ reaction pose the same problems. Therefore, Complaint Counsel repeats these

same concerns in response to Unicare's Motion for Extension.

Respectfully submitted,

Dated: \_\_\_\_\_

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**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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and delivery of two copies to:

The Honorable Stephen J. McGuire  
Federal Trade Commission  
600 Pennsylvania Avenue  
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Date

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Complaint Counsel