

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

In the Matter of)	
)	
)	Docket No. 9315
)	(Public Record Version)
Evanston Northwestern Healthcare Corporation,)	
a corporation, and)	
)	
ENH Medical Group, Inc.,)	
a corporation.)	

**COMPLAINT COUNSEL’S FOURTH REQUEST FOR ADMISSIONS
CONCERNING AUTHENTICITY AND ADMISSIBILITY**

Pursuant to the Federal Trade Commission (“FTC”) Rules of Practice for Adjudicative Proceedings § 3.32, complaint counsel submit these requests for admissions to respondents Evanston Northwestern Healthcare Corporation and ENH Medical Group, Inc.

Definitions

1. “Evanston Northwestern Healthcare” means Evanston Northwestern Healthcare Corporation, including its past or surviving parents, subsidiaries and affiliates (including Evanston Hospital Corporation, Evanston Hospital, Glenbrook Hospital, and, beginning on January 1, 2000, Highland Park Hospital), a corporation organized, existing, and doing business under and by virtue of the laws of the State of Illinois, with its principal place of business located at 1301

Central Street, Evanston, Illinois 60201.

2. “Highland Park” means Highland Park Hospital, including its past or surviving parents, subsidiaries and affiliates, a hospital located near Evanston, Illinois.
3. “[REDACTED]” means [REDACTED], including its past or surviving parents, subsidiaries, and affiliates.
4. “[REDACTED]” means [REDACTED], including its past or surviving parents, subsidiaries, and affiliates (including [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]).
5. “Business Record” as defined according to Rule 803(6) of the Federal Rules of Evidence is “[a] memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, [where] it was the regular practice of that business activity to make the memorandum, report, record or data compilation...”

REQUESTS FOR ADMISSIONS

[REDACTED]

Highland Park Hospital

1521. The document attached to this Request for Admissions as Exhibit CX-05068 is authentic, genuine, and a true and correct copy of a contract between [REDACTED] and Highland Park, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.

1522. Exhibit CX-05068 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments between [REDACTED] and Highland Park from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.
1523. The document attached to this Request for Admissions as Exhibit CX-05069 is authentic, genuine, and a true and correct copy of a consent to assignment (plus a cover letter, a [REDACTED] memorandum, the contract being assigned, and a fax transmittal sheet), effective [REDACTED]. The consent to assignment is a business record of one or both parties to the consent to assignment. The consent to assignment is admissible into evidence in this matter.
1524. Exhibit CX-05069 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to assignment (plus a cover letter, a [REDACTED] memorandum, the contract being assigned, and a fax transmittal sheet) between [REDACTED] and Highland Park from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

Evanston Northwestern Healthcare

1525. The document attached to this Request for Admissions as Exhibit CX-05070 is authentic, genuine, and a true and correct copy of a contract (plus a cover letter) between [REDACTED] and Evanston Northwestern Healthcare, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.
1526. Exhibit CX-05070 constitutes an authentic, genuine, true and correct copy of the

complete set of the [REDACTED] contracts and amendments (plus a cover letter) between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED].

This set of an exhibit is admissible into evidence in this matter.

1527. The document attached to this Request for Admissions as Exhibit CX-05071 is authentic, genuine, and a true and correct copy of an amendment, effective [REDACTED], to CX-05070. The amendment is a business record of one or both parties to the amendment.

The amendment is admissible into evidence in this matter.

1528. The document attached to this Request for Admissions as Exhibit CX-05072 is authentic, genuine, and a true and correct copy of a contract (plus a cover letter) between [REDACTED] and Evanston Northwestern Healthcare, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.

1529. The document attached to this Request for Admissions as Exhibit CX-05073 is authentic, genuine, and a true and correct copy of an amendment (plus a cover letter), effective [REDACTED], to CX-05072. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.

1530. Exhibits CX-05070 through CX-05073 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus three cover letters) between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of exhibits is admissible into evidence in this matter.

[REDACTED]

Evanston Northwestern Healthcare

[REDACTED]

1531. The document attached to this Request for Admissions as Exhibit CX-05074 is authentic, genuine, and a true and correct copy of a contract between [REDACTED] and Evanston Northwestern Healthcare, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.
1532. Exhibit CX-05074 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.
1533. The document attached to this Request for Admissions as Exhibit CX-05075 is authentic, genuine, and a true and correct copy of a contract between [REDACTED] and Evanston Northwestern Healthcare, effective [REDACTED]. The contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.
1534. Exhibits CX-05074 through CX-05075 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of exhibits is admissible into evidence in this matter.

Highland Park Hospital

[REDACTED]

1535. The document attached to this Request for Admissions as Exhibit CX-05076 is authentic, genuine, and a true and correct copy of a contract (plus a [REDACTED] memorandum) between [REDACTED] and Highland Park, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.
1536. Exhibit CX-05076 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus a memorandum) between [REDACTED] and Highland Park from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

[REDACTED]

1537. The document attached to this Request for Admissions as Exhibit CX-05077 is authentic, genuine, and a true and correct copy of a contract (including an addendum effective [REDACTED]) between [REDACTED] and Highland Park, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.
1538. The document attached to this Request for Admissions as Exhibit CX-05078 is authentic, genuine, and a true and correct copy of a notification of assignment letter, effective [REDACTED], for CX-05077. The notification of assignment letter is a business record of one or both parties to the notification of assignment letter. The notification of assignment letter is admissible into evidence in this matter.

1539. Exhibit CX-05078 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] notification of assignment letters between [REDACTED] and Highland Park from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.
1540. The document attached to this Request for Admissions as Exhibit CX-05079 is authentic, genuine, and a true and correct copy of an amendment, effective [REDACTED], to CX-05077. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.
1541. Exhibits CX-05077 and CX-05079 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments between [REDACTED] and Highland Park from [REDACTED]. This set of exhibits is admissible into evidence in this matter.
1542. Exhibit CX-05078 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] notification of assignment letters between [REDACTED] and Highland Park from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

Evanston Northwestern Healthcare

[REDACTED]

1543. The document attached to this Request for Admissions as Exhibit CX-05080 is authentic,

genuine, and a true and correct copy of a contract between [REDACTED] and Evanston Hospital Corporation, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.

1544. The document attached to this Request for Admissions as Exhibit CX-05081 is authentic, genuine, and a true and correct copy of a contract between [REDACTED] and Evanston Hospital Corporation, signed [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.

1545. The document attached to this Request for Admissions as Exhibit CX-05082 is authentic, genuine, and a true and correct copy of a contract between [REDACTED] and Evanston Hospital, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.

1546. The document attached to this Request for Admissions as Exhibit CX-05083 is authentic, genuine, and a true and correct copy of an amendment, effective [REDACTED], to CX-05082. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.

1547. The document attached to this Request for Admissions as Exhibit CX-05084 is authentic, genuine, and a true and correct copy of a consent to assignment, signed [REDACTED]. The consent to assignment is a business record of one or both parties to the consent to assignment. The consent to assignment is admissible into evidence in this matter.

1548. Exhibit CX-05084 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to assignment between [REDACTED] and Evanston Hospital from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.
1549. The document attached to this Request for Admissions as Exhibit CX-05085 is authentic, genuine, and a true and correct copy of an amendment, effective [REDACTED], to CX-05082. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.
1550. The document attached to this Request for Admissions as Exhibit CX-05086 is authentic, genuine, and a true and correct copy of an amendment (plus a cover memorandum), effective [REDACTED], to CX-05082. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.
1551. Exhibits CX-05080 through CX-05083 and CX-05085 through CX-05086 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus a cover memorandum) between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of exhibits is admissible into evidence in this matter.
1552. Exhibit CX-05084 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to

assignment between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

1553. Exhibits CX-05080 through CX-05083, CX-05085 through CX-05086, and CX-05075 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus a cover memorandum) between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of exhibits is admissible into evidence in this matter.

1554. Exhibit CX-05084 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to assignment between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

[REDACTED]

1555. The document attached to this Request for Admissions as Exhibit CX-05087 is authentic, genuine, and a true and correct copy of a contract between [REDACTED] and Evanston Hospital, effective [REDACTED]. The [REDACTED] contract is a business record of one or both contracting parties. The contract is admissible into evidence in this matter.

1556. The document attached to this Request for Admissions as Exhibit CX-05088 is authentic,

- genuine, and a true and correct copy of an amendment (plus two notices), effective [REDACTED], to CX-05087. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.
1557. The document attached to this Request for Admissions as Exhibit CX-05089 is authentic, genuine, and a true and correct copy of an amendment (plus two cover letters), effective [REDACTED], to CX-05087. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.
1558. The document attached to this Request for Admissions as Exhibit CX-05090 is authentic, genuine, and a true and correct copy of a consent to assignment, signed [REDACTED]. The consent to assignment is a business record of one or both parties to the consent to assignment. The consent to assignment is admissible into evidence in this matter.
1559. Exhibit CX-05090 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to assignment between [REDACTED] and Evanston Hospital from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.
1560. The document attached to this Request for Admissions as Exhibit CX-05091 is authentic, genuine, and a true and correct copy of an amendment, [REDACTED], to CX-05087. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.
1561. The document attached to this Request for Admissions as Exhibit CX-05086 is authentic, genuine, and a true and correct copy of an amendment (plus a cover memorandum),

effective [REDACTED], to CX-05087. The amendment is a business record of one or both parties to the amendment. The amendment is admissible into evidence in this matter.

1562. Exhibits CX-05086 through CX-05089 and CX-05091 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus two notices, two cover letters, and a cover memorandum) between [REDACTED] and Evanston Hospital Corporation from [REDACTED]. This set of exhibits is admissible into evidence in this matter.
1563. Exhibit CX-05090 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to assignment between [REDACTED] and Evanston Hospital Corporation from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.
1564. Exhibits CX-05086 through CX-05089, CX-05091, and CX-05075 constitute an authentic, genuine, true and correct copy of the complete set of the [REDACTED] contracts and amendments (plus two notices, two cover letters, and a cover memorandum) between [REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of exhibits is admissible into evidence in this matter.
1565. Exhibit CX-05090 constitutes an authentic, genuine, true and correct copy of the complete set of the [REDACTED] consents to assignment between

[REDACTED] and Evanston Northwestern Healthcare from [REDACTED]. This set of an exhibit is admissible into evidence in this matter.

Attachments

Thomas Brock
Philip Eisenstat
Paul Nolan
Renée Henning
Nancy Park
Counsel Supporting the Complaint
Bureau of Competition
Federal Trade Commission
Washington, D.C. 20580
Telephone (202) 326-2813
Facsimile (202) 326-2884

Dated: _____, 2004

CERTIFICATE OF SERVICE

This is to certify that on _____, 2004, I caused a copy of the foregoing to be served upon counsel for the respondents by electronic mail and first class mail delivery:

Michael Sibarium, Esquire
WINSTON & STRAWN
1400 L Street, N.W.
Washington, D.C. 20005

Charles Klein, Esquire
WINSTON & STRAWN
1400 L Street, N.W.
Washington, D.C. 20005

Duane Kelley, Esquire
WINSTON & STRAWN
35 West Wacker Drive
Chicago, IL 60601-9703

and delivery of two copies to:

The Honorable Stephen J. McGuire
Federal Trade Commission
600 Pennsylvania Avenue
Room 113
Washington, D.C. 20580

Thomas Brock