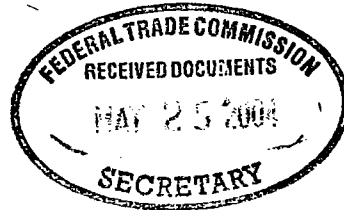


[PUBLIC]

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**



In the Matter of)
)
EVANSTON NORTHWESTERN HEALTHCARE)
CORPORATION,)
)
and)
)
EHN MEDICAL GROUP, INC.,)
Respondents.)
_____)

Docket No. 9315
Honorable Stephen J. McGuire

**MOTION FOR EXTENSION OF TIME TO FILE
MOTION TO LIMIT SUBPOENA DUCES TECUM**

UNICARE HEALTH PLANS OF THE MIDWEST, INC. (“UNICARE”), by its attorneys, Donald A. Murday, Elizabeth G. Doolin, Michael B. Galibois, and Chittenden, Murday & Novotny LLC, in accordance with the provisions of the Federal Trade Commission Act, and pursuant to Section 3.22 of the Federal Trade Commission Rules of Practice, moves for an extension of time to file its Motion to Limit or Quash Subpoena Duces Tecum and to comply with Section 3.38A. In support of its Motion, UNICARE states as follows:

1. UNICARE is a third-party respondent to discovery. On April 28, 2004, UNICARE received Respondents’ Subpoena Duces Tecum (“Subpoena”). The Subpoena contains forty-three (43) requests, exclusive of subparagraphs, which purport to seek a voluminous amount of documents and information. The compliance date indicated on the Subpoena was May 17, 2004.

2. In light of the extensive breadth of information sought in the Subpoena, on May 7, 2004, counsel for UNICARE filed a Motion for an Extension of Time to File a Motion to Limit the Subpoena. While its Motion initially sought an additional thirty (30) days in which to

file its objections to the Subpoena, UNICARE subsequently reduced its request for time to fourteen (14) days from the date UNICARE's Motion to Quash or Limit the Subpoena would have been due (May 10, 2004), or until May 24, 2004. On May 17, 2004, the Court granted UNICARE's Motion, in part, and extended its time to file its objections to the Subpoena by May 24, 2004. A true and correct copy of the Court's Order is attached hereto as Exhibit 1.

3. Counsel for UNICARE reviewed and evaluated the Subpoena and, pursuant to Section 3.22(f), contacted counsel for Respondents on May 20, 2004 to schedule a mutually convenient time to discuss Respondents' requests and attempt resolve objections that may arise. On May 21, 2004, counsel for Respondents returned the call. Due to time constraints and Respondent counsel's schedule, both parties agree to confer on May 25, 2004. A true and correct copy of counsel's letter confirming the scheduled meeting is attached hereto as Exhibit 2.

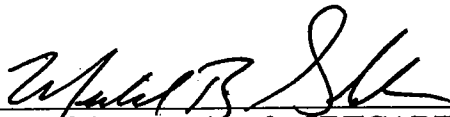
4. In order to accommodate its efforts to resolve any discovery disputes with Respondents while maintaining its right to object to the breadth and scope of the Subpoena, UNICARE now seeks an additional four (4) days, or until May 28, 2004, to file its Motion to Quash or Limit the Subpoena and comply with Section 3.38A.

5. This Motion is brought in good faith and will not unnecessarily delay these proceedings or prejudice any of the parties to this Litigation.

WHEREFORE, UNICARE seeks a four (4) day extension of time to file its Motion to Quash or Limit the Subpoena and to comply with Section 3.38A to and including May 28, 2004.

Respectfully submitted,

CHITTENDEN, MURDAY & NOVOTNY LLC

By: 
One of the Attorneys for UNICARE HEALTH
PLANS OF THE MIDWEST, INC.

Donald A. Murday
Elizabeth G. Doolin
CHITTENDEN, MURDAY & NOVOTNY LLC
303 West Madison Street, Suite 1400
Chicago, Illinois 60606
(312) 281-3600
(312) 281-3678 (fax)

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**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

In the Matter of)
)
EVANSTON NORTHWESTERN HEALTHCARE)
CORPORATION,) Docket No. 9315
)
and) Honorable Stephen J. McGuire
)
EHN MEDICAL GROUP, INC.,)
Respondents.)
_____)

**ORDER GRANTING UNICARE HEALTH PLANS OF THE MIDWEST'S
EXTENSION OF TIME TO FILE MOTION TO LIMIT
SUBPOENA DUCES TECUM**

The Federal Trade Commission hereby grants UNICARE's Motion for Extension of Time to File its Motion to Quash or Limit the Subpoena Duces Tecum and to comply with Section 3.38A to and including May 28, 2004.

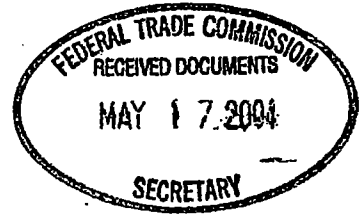
DATED: _____

ENTER: _____

Donald A. Murday
Elizabeth G. Doolin
CHITTENDEN, MURDAY & NOVOTNY LLC
303 West Madison Street, Suite 1400
Chicago, Illinois 60606
(312) 281-3600
(312) 281-3678 (fax)

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



In the Matter of)

EVANSTON NORTHWESTERN HEALTHCARE)
CORPORATION,)

and)

ENH MEDICAL GROUP, INC.,)
Respondents.)

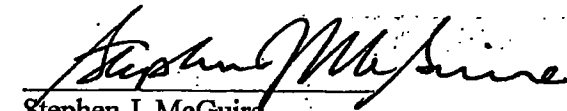
Docket No. 9315

**ORDER ON NON-PARTY UNICARE'S MOTION FOR EXTENSION OF TIME
TO FILE MOTION TO LIMIT SUBPOENA *DUCES TECUM***

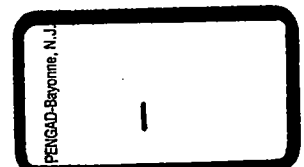
On May 6, 2004, non-party Unicare Health Plans of the Midwest, Inc. ("Unicare") filed a Motion for Extension of Time to File Motion to Limit Subpoena *Duces Tecum* seeking a thirty day extension. On May 10, 2004 expedited responses were ordered to be filed no later than May 12, 2004. On May 12, 2004, Complaint Counsel filed a response expressing concern with the pace of discovery and Respondents filed a response opposing the extension of thirty days. On May 14, 2004, Unicare filed a reply requesting, at a minimum, a fourteen day extension to May 24, 2004.

Upon consideration of the arguments presented, non-party Unicare's Motion for Extension of Time to File Motion to Limit Subpoena *Duces Tecum* is **GRANTED IN PART AND DENIED IN PART**. Unicare's motion to limit the subpoena *duces tecum* shall be filed on or before May 24, 2004.

ORDERED:

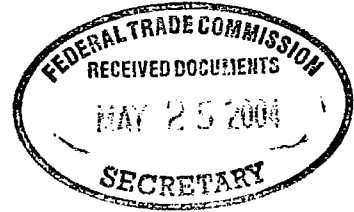

Stephen J. McGuire
Chief Administrative Law Judge

Date: May 17, 2004



[PUBLIC]

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION



_____)	
In the Matter of)	
)	
EVANSTON NORTHWESTERN HEALTHCARE)	
CORPORATION,)	Docket No. 9315
)	
and)	Honorable Stephen J. McGuire
)	
EHN MEDICAL GROUP, INC.,)	
Respondents.)	
_____)	

NOTICE OF APPEARANCE

I, Michael B. Galibois, of the law firm of Chittenden, Murday & Novotny LLC, with offices located at 303 West Madison Street, Suite 1400, Chicago, Illinois, 60606, hereby enter my appearance as counsel for non-Party UNICARE HEALTH PLANS OF THE MIDWEST, INC. I was admitted to practice law in the State of Illinois in 2000 and have been licensed to practice law continuously by the Bar of the State of Illinois since that time. I am also a member of the United States District Court for the Northern District of Illinois.

Dated: May 24, 2004

Respectfully submitted,

Michael B. Galibois
IL Bar Number: 6272257
Chittenden, Murday & Novotny LLC
303 West Madison Street, Suite 1400
Chicago, Illinois 60606
Tel: (312) 281-3600
Fax: (312) 281-3678
E-mail: mgalibois@cmn-law.com
Counsel for UNICARE HEALTH PLANS OF
THE MIDWEST, INC.

CERTIFICATE OF SERVICE

I, Michael B. Galibois, hereby certify that on May 24, 2004, I caused copies of:

1. Notice of Appearance;
2. Non-Party UNICARE HEALTH PLANS OF THE MIDWEST, INC.'s Motion for Extension of Time to File Motion to Limit Subpoena Duces Tecum; and
3. Proposed Order Granting Non-Party UNICARE HEALTH PLANS OF THE MIDWEST, INC.'s Extension of Time to File Motion to Limit Subpoena Duces Tecum

to be served upon the following persons:

Office of the Secretary
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue, NW
Washington, DC 20580
(Original and 12 copies served via FedEx overnight delivery, and electronic copies served via e-mail)

The Honorable Stephen J. McGuire
Chief Administrative Law Judge
Federal Trade Commission
Room H-106
600 Pennsylvania Avenue, NW
Washington, DC 20580
(Two courtesy copies served via FedEx overnight delivery)

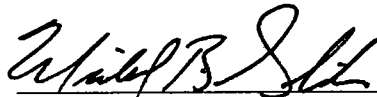
Thomas H. Brock, Esquire
Federal Trade Commission
Room H-374
600 Pennsylvania Avenue, NW
Washington, DC 20580
(Served via FedEx overnight delivery)

Philip M. Eisenstat, Esquire
Federal Trade Commission
Room NJ-5235
601 New Jersey Avenue, NW
Washington, DC 20580
(Served via FedEx overnight delivery)

Chul Pak, Esquire
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601 New Jersey Avenue, NW
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Counsel for Evanston Northwestern Healthcare Corporation and
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Michael B. Galibois