

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

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

**RESPONDENTS' TWELFTH REQUESTS FOR ADMISSIONS  
CONCERNING AUTHENTICITY AND ADMISSIBILITY**

Pursuant to the Federal Trade Commission's Rules of Practice ("Rules"), 16 C.F.R. § 3.32, and the Scheduling Orders entered in this action, Respondents Evanston Northwestern Healthcare Corporation ("ENH") and ENH Medical Group, Inc. ("ENH Medical Group") hereby request that Complaint Counsel answer the following requests for admissions concerning authenticity and admissibility within 20 days of service of this request, in accordance with the Definitions set forth below.

**DEFINITIONS**

A. The term "document" includes, without limitation, writings, drawings, graphs, charts, handwritten notes, film, photographs, audio and video recordings and any such representations stored on a computer, a computer disk, CD-ROM, magnetic or electronic tape, or any other means of electronic storage, and other compilations from which information can be obtained in machine-readable form (translated, if necessary, into reasonably usable form by the person subject to the subpoena). The term "documents" includes electronic mail and drafts of documents, copies of documents that are not identical duplicates of the originals, and copies of documents the originals of which are not in your possession, custody or control.

B. The term "ENH" means Evanston Northwestern Healthcare Corporation (including Evanston Hospital, Glenbrook Hospital, and Highland Park Hospital), its parents, predecessors, divisions, subsidiaries, affiliates, partnerships and joint ventures, and all directors, officers, employees, agents, and representatives of the foregoing. The terms "subsidiary," "affiliate" and "joint venture" refer to any person in which there is partial (25 percent or more) or total ownership or control between ENH and any other person.

C. The term "Highland Park" means Highland Park Hospital, its parents, predecessors, divisions, subsidiaries, affiliates, partnerships and joint ventures, and all directors, officers, employees, agents, and representatives of the foregoing.

D. The term "business record" is defined according Rule 803(6) of the Federal Rules of Evidence as "[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[.]"

E. Unless otherwise defined, all words and phrases used in this First Set of Interrogatories shall be accorded their usual meaning as defined by Webster's New Universal Unabridged Dictionary (2d ed. 1983).

### **REQUESTS FOR ADMISSIONS**

#### **University of Chicago Hospitals & Health Systems**

1. The document attached to this Request for Admissions as Exhibit 1 and Bates labeled FTC 00213-00278 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

2. The document attached to this Request for Admissions as Exhibit 2 and Bates labeled FTC 00488-00510 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

3. The document attached to this Request for Admissions as Exhibit 3 and Bates labeled FTC 00546-00580 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

4. The document attached to this Request for Admissions as Exhibit 4 and Bates labeled FTC 00511-00545 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

5. The document attached to this Request for Admissions as Exhibit 5 and Bates labeled GWL 4587-4588 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

6. The document attached to this Request for Admissions as Exhibit 6 and Bates labeled GWL 4591-4592 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

7. The document attached to this Request for Admissions as Exhibit 7 and Bates labeled GWL 4595-4596 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

8. The document attached to this Request for Admissions as Exhibit 8 and Bates labeled GWL 4615-4616 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

9. The document attached to this Request for Admissions as Exhibit 9 and Bates labeled GWL 4617-4618 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

10. The document attached to this Request for Admissions as Exhibit 10 and Bates labeled CIG/IL 0200240-0200255 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

11. The document attached to this Request for Admissions as Exhibit 11 and Bates labeled GWL 3972-3998 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

12. The document attached to this Request for Admissions as Exhibit 12 and Bates labeled CIG/IL 0200234-0200239 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

Respectfully Submitted,

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Duane M. Kelley  
WINSTON & STRAWN LLP  
35 West Wacker Dr.  
Chicago, IL 60601-9703  
(312) 558-5764  
Fax: (312) 558-5700  
Email: dkelley@winston.com

Michael L. Sibarium  
Charles B. Klein  
WINSTON & STRAWN LLP  
1400 L Street, NW  
Washington, DC 20005  
(202) 371-5700  
Fax: (202) 371-5950  
Email: msibarium@winston.com  
Email: cklein@winston.com

*Attorneys for Respondents*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 22, 2004, a copy of the foregoing Respondents' Twelfth Request for Admissions Concerning Authenticity and Admissibility (Public Record Version) was served by email and first class mail, postage prepaid, on:

The Honorable Stephen J. McGuire  
Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave. NW (H-106)  
Washington, DC 20580  
(courtesy copies delivered by messenger only)

Thomas H. Brock, Esq.  
Federal Trade Commission  
600 Pennsylvania, Ave. NW (H-374)  
Washington, DC 20580  
tbrock@ftc.gov

Philip M. Eisenstat, Esq.  
Federal Trade Commission  
601 New Jersey Avenue, N.W.  
Room NJ-5235  
Washington, DC 20580  
peisenstat@ftc.gov

Chul Pak, Esq.  
Assistant Director Mergers IV  
Federal Trade Commission  
601 New Jersey Avenue, N.W.  
Washington, DC 20580  
cpak@ftc.gov  
(served by email only)

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Charles B. Klein

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