

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

**COMMISSIONERS:**      **Timothy J. Muris, Chairman**  
                                 **Mozelle W. Thompson**  
                                 **Orson Swindle**  
                                 **Thomas B. Leary**  
                                 **Pamela Jones Harbour**

**In the Matter of**

**SOUTH GEORGIA HEALTH PARTNERS, L.L.C.,  
a limited liability company,**

**COASTAL PLAINS HEALTH ALLIANCE, L.L.C.,  
a limited liability company,**

**COLQUITT COUNTY PHO, L.L.C.,  
a limited liability company,**

**COLQUITT COUNTY PHYSICIANS ASSOCIATION, L.L.C.,  
a limited liability company,**

**GEORGIA/FLORIDA PREFERRED, L.L.C., dba HEALTH  
ALLIANCE OF THE SOUTH,  
a limited liability company,**

**QUALICARE PHYSICIANS ASSOCIATION, L.L.C.,  
a limited liability company,**

**SATILLA HEALTHNET, INC.,  
a corporation,**

**SOUTH GEORGIA PHO, L.L.C.,  
a limited liability company, and**

**SOUTH GEORGIA PHYSICIAN NETWORK, L.L.C.,  
a limited liability company.**

**File No. 011 0222**

**AGREEMENT CONTAINING CONSENT  
ORDER TO CEASE AND DESIST**

The Federal Trade Commission (“Commission”), having initiated an investigation of certain acts and practices of South Georgia Health Partners, L.L.C. (“SGHP”); Coastal Plains Health Alliance, L.L.C. (“Coastal Plains Health Alliance”); Colquitt County PHO, L.L.C. (“Colquitt County PHO”); Colquitt County Physicians Association, L.L.C. (“Colquitt County Physicians”); Georgia/Florida Preferred, L.L.C., dba Health Alliance of the South (“Health Alliance of the South”); Qualicare Physicians Association, L.L.C. (“Qualicare Physicians Association”); Satilla HealthNet, Inc. (“Satilla HealthNet”); South Georgia PHO, L.L.C. (“South Georgia PHO”); and South Georgia Physician Network, L.L.C. (“South Georgia Physician Network”), hereinafter collectively referred to as “Proposed Respondents,” and it now appearing that Proposed Respondents are willing to enter into an Agreement Containing Consent Order to Cease and Desist (“Consent Agreement”) from certain acts and practices, and providing for other relief,

**IT IS HEREBY AGREED** by and between Proposed Respondents and their attorney, and counsel for the Commission that:

1. Proposed Respondent SGHP is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 160 East Second Street, Tifton, Georgia 31794.
2. Proposed Respondent Coastal Plains Health Alliance is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 160 East Second Street, Tifton, Georgia 31794.
3. Proposed Respondent Colquitt County PHO is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 2421 South Main Street, Moultrie, Georgia 31768.
4. Proposed Respondent Colquitt County Physicians is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 2421 South Main Street, Moultrie, Georgia 31768.
5. Proposed Respondent Health Alliance of the South is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at John D. Archbold Memorial Hospital, 915 Gordon Avenue, Thomasville, Georgia 31792.

6. Proposed Respondent Qualicare Physicians Association is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 808 Gordon Avenue, Thomasville, Georgia 31792.
7. Proposed Respondent Satilla HealthNet is a non-profit corporation, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 1800 Alice Street, Waycross, Georgia 31501.
8. Proposed Respondent South Georgia PHO is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 2501 North Patterson Street, Valdosta, Georgia 31602.
9. Proposed Respondent South Georgia Physician Network is a for-profit limited liability company, organized, existing, and doing business under and by virtue of the laws of the State of Georgia, with its office and principal place of business located at 102 W. Moore Street, Valdosta, Georgia 31602.
10. Proposed Respondents admit all the jurisdictional facts set forth in the draft of Complaint here attached.
11. Proposed Respondents waive:
  - a. any further procedural steps;
  - b. the requirement that the Commission's Decision and Order, attached hereto and made a part hereof, contain a statement of findings of fact and conclusions of law;
  - c. all rights to seek judicial review or otherwise to challenge or contest the validity of the Decision and Order entered pursuant to this Consent Agreement; and
  - d. any claim under the Equal Access to Justice Act.
12. This Consent Agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this Consent Agreement is accepted by the Commission it, together with the draft of Complaint contemplated thereby, will be placed on the public record for a period of thirty (30) days and information with respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this Consent Agreement and so notify the Proposed Respondents, in which event it will take

such action as it may consider appropriate, or issue and serve its Complaint (in such form as the circumstances may require) and Decision and Order, in disposition of the proceeding.

13. This Consent Agreement is for settlement purposes only and does not constitute an admission by Proposed Respondents that the law has been violated as alleged in the draft of Complaint here attached, or that the facts as alleged in the draft of Complaint, other than jurisdictional facts, are true.
14. This Consent Agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Commission Rule 2.34, 16 C.F.R. § 2.34, the Commission may, without further notice to Proposed Respondents, (1) issue its Complaint corresponding in form and substance with the draft of Complaint here attached and the Decision and Order in disposition of the proceeding and (2) make information public with respect thereto. When so entered, the Decision and Order shall have the same force and effect, and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The Decision and Order shall become final upon service. Delivery of the Complaint and the Decision and Order to Proposed Respondents by any means specified in Commission Rule 4.4(a), 16 C.F.R. § 4.4(a), shall constitute service. Proposed Respondents waive any right they may have to any other manner of service. The Complaint may be used in construing the terms of the Decision and Order, and no agreement, understanding, representation, or interpretation not contained in the Decision and Order or the Consent Agreement may be used to vary or contradict the terms of the Decision and Order.
15. Proposed Respondents have read the draft of Complaint and the Decision and Order contemplated hereby. By signing this Consent Agreement, Proposed Respondents represent that the full relief contemplated by this Consent Agreement can be accomplished. Proposed Respondents understand that once the Decision and Order has been issued, they will be required to file one or more compliance reports showing that they have fully complied with the Decision and Order. Proposed Respondents agree to comply with Paragraphs II and III of the draft Decision and Order from the date they sign this Consent Agreement. Proposed Respondents further understand that they may be liable for civil penalties in the amount provided by law for each violation of the Decision and Order after the Decision and Order becomes final.

SOUTH GEORGIA HEALTH ALLIANCE, PARTNERS, L.L.C.

By: \_\_\_\_\_  
Frank C. Riley, Chairman and Chief Executive Officer  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

COASTAL PLAINS HEALTH L.L.C.

By: \_\_\_\_\_  
Dr. Frank J. Pinto, Chairman  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

COLQUITT COUNTY PHO, L.L.C.

By: \_\_\_\_\_  
Dr. D. Q. Harris, Chairman  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

COLQUITT COUNTY PHYSICIANS ASSOCIATION, L.L.C.

By: \_\_\_\_\_  
Dr. Jack Copeland, Chairman  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

GEORGIA/FLORIDA PREFERRED, L.L.C. dba HEALTH ALLIANCE OF THE SOUTH

By: \_\_\_\_\_  
Daniel "Gene" Autry, Chairman  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

QUALICARE PHYSICIANS ASSOCIATION, L.L.C.

By: \_\_\_\_\_  
Dr. James E. Smith, Chairman  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

SATILLA HEALTHNET, INC.

By: \_\_\_\_\_  
Dr. Wade Dye, Chairman  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

SOUTH GEORGIA PHO, L.L.C.

By: \_\_\_\_\_  
Dr. Mark Eanes, Chairman  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

SOUTH GEORGIA PHYSICIAN NETWORK, L.L.C.

By: \_\_\_\_\_  
Dr. Joe C. Stubbs  
Signed this \_\_\_\_ day of \_\_\_\_\_, 2003

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Jeffrey S. Spigel, Esq.,  
Counsel for  
South Georgia Health Partners, L.L.C.;  
Coastal Plains Health Alliance, L.L.C.;  
Colquitt County PHO, L.L.C.; Colquitt  
County Physicians Association, L.L.C.;  
Satilla HealthNet, Inc.; South Georgia PHO,  
L.L.C.; and South Georgia Physicians  
Network, L.L.C.

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David H. Robbins, Esq.,  
Counsel for  
Georgia/Florida Preferred, L.L.C.,  
d/b/a Health Alliance of the South; and  
Qualicare Physicians Association, L.L.C.

FEDERAL TRADE COMMISSION

By: \_\_\_\_\_  
Steven J. Osnowitz  
Attorney

\_\_\_\_\_  
Jerod T. Klein  
Attorney

Approved:

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David R. Pender  
Deputy Assistant Director

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Jeffrey W. Brennan  
Assistant Director

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Susan A. Creighton  
Director  
Bureau of Competition