

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

\_\_\_\_\_) )  
) )  
In the Matter of ) )  
) )  
**Evanston Northwestern Healthcare** ) )  
**Corporation,** ) )  
a corporation, and ) )  
) )  
**ENH Medical Group, Inc.** ) )  
a corporation. ) )  
\_\_\_\_\_)

Docket No. 9315

**RESPONDENTS' MOTION TO COMPEL FIRST HEALTH TO PRODUCE  
DOCUMENTS REQUESTED BY SUBPOENA DUCES TECUM**

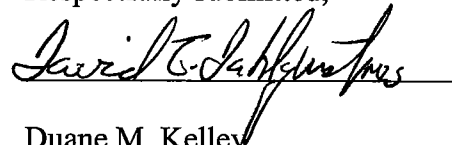
Respondents Evanston Northwestern Healthcare and ENH Medical Group (collectively "Respondents") respectfully submit this Motion to Compel First Health to Produce Documents Requested by Subpoenas Duces Tecum in accordance with Commission Rule § 3.38(a)(2). This motion is based on the grounds set forth in the attached supporting memorandum.

Respondents' seek the immediate production of documents and electronic data responsive to its Subpoenas. Counsel for Respondents has attempted to negotiate in good faith with counsel for First Health in order to gain compliance with Respondents' subpoenas. Counsel for Respondents and counsel for First Health have had numerous telephone conferences, as well as exchanged numerous letters, emails and voicemails in an attempt to move towards the production of relevant documents. Respondents have determined that despite good faith attempts, they have been unable to resolve this dispute and therefore respectfully petition this

Court for an Order requiring compliance. Respondents have attached a proposed order for the benefit of the Court.

DATED: August 27, 2004

Respectfully submitted,



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a corporation.	)	
	)	

**ORDER**

Upon consideration of Respondents' Motion to Compel First Health to Produce Documents Requested by Subpoena Duces Tecum, any opposition thereto, and the Court being fully informed,

IT IS HERBY ORDERED that Respondents' Motion is GRANTED.

IT IS FURTHER ORDERED that, First Health shall immediately take all necessary steps toward producing to Respondents all subpoenaed documents responsive to Respondents' Subpoenas as soon as possible and on a rolling basis. Such production shall be completed within two weeks from the date of issuance of this Order.

\_\_\_\_\_  
Stephen J. McGuire  
Administrative Law Judge

Date: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 2004, a copy of the foregoing Respondents' Motion to Compel First Health to Produce Documents Requested By Subpoena Duces Tecum was served by email and first class mail, postage prepaid, on:

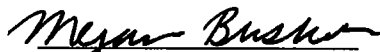
The Honorable Stephen J. McGuire  
Chief Administrative Law Judge  
Federal Trade Commission  
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Washington, DC 20580  
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