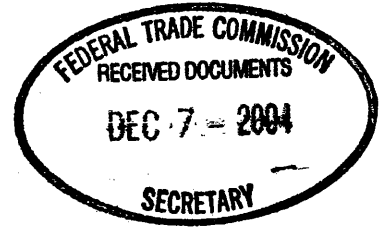


UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
Office of Administrative Law Judges



\_\_\_\_\_  
In the Matter of )

**Evanston Northwestern Healthcare Corporation,** )

a corporation, and )

**ENH Medical Group, Inc.,** )

a corporation. )  
\_\_\_\_\_ )

Docket No. 9315

**PUBLIC VERSION**

**WITHDRAWAL OF MOTION TO COMPEL PRODUCTION OF SURVEYS**

Complaint Counsel hereby withdraw the Motion to Compel Production of Documents Relating to Surveys dated December 6, 2004.

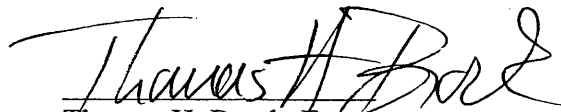
Complaint Counsel first notified Respondents of a deficiency in their document production on November 29, 2004, when they specifically requested Respondents to produce all documents responsive to Request No. 11 of Complaint Counsel's Fifth Request for the Production of Documents. Five business days later, on December 6, 2004, Complaint Counsel filed the motion to compel to avoid any question that the motion was timely. After the motion was filed, Complaint Counsel first learned, through further communications with Respondents, that Respondents had forwarded additional responsive documents to Complaint Counsel on December 2, 2004.<sup>1</sup>

<sup>1</sup> Apparently, the delivery of these documents to Complaint Counsel's office was delayed, until after the motion to compel was filed, on account of security screening procedures of the Commission.

Therefore, Complaint Counsel withdraws the Motion to Compel the Production of Documents Relating to Surveys. Nevertheless, Complaint Counsel must reserve the right to renew this motion, if necessary, after it has had the opportunity to review the documents produced by Respondents.

Dated: 12/07/04

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing documents were served on counsel for the respondents by electronic mail and first class mail delivery:

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and delivery of two copies to:

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

12/07/04

Date



Thomas H. Brock  
Complaint Counsel