

**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</b> )	
<b>Corporation,</b> )	Docket No. 9315
a corporation, and )	
)	<b>Public Version</b>
<b>ENH Medical Group, Inc.,</b> )	
a corporation. )	
_____ )	

**RESPONDENTS' NINTH 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**

### **Swedish Covenant Hospital**

1. The document attached to this Request for Admissions as Exhibit 1 and Bates labeled SCH 000898-000899 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 SCH 000959-000960 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 SCH 000964 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 SCH 000965 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 SCH 000968 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 SCH 000973 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 SCH 001923-001948 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 SCH 002726 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 SCH 002735-002737 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 SCH 002738-002740 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 SCH 006074-006131 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 001349-001385 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

13. The document attached to this Request for Admissions as Exhibit 13 and Bates labeled 001536-001537 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

14. The document attached to this Request for Admissions as Exhibit 14 and Bates labeled 001802-001821 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

15. The document attached to this Request for Admissions as Exhibit 15 and Bates labeled 000347-000351 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

16. The document attached to this Request for Admissions as Exhibit 16 and Bates labeled 000425-000427 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

17. The document attached to this Request for Admissions as Exhibit 17 and Bates labeled 001850 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

18. The document attached to this Request for Admissions as Exhibit 18 and Bates labeled SCH 004591-004620 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

19. The document attached to this Request for Admissions as Exhibit 19 and Bates labeled SCH 004654-004747 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

20. The document attached to this Request for Admissions as Exhibit 20 and Bates labeled SCH 005183-005258 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

21. The document attached to this Request for Admissions as Exhibit 21 and Bates labeled SCH 005501-005510 is authentic, genuine, and a true and correct copy of the original business record. This document is admissible into evidence in this matter.

22. The document attached to this Request for Admissions as Exhibit 32 and Bates labeled SCH 004802-004862 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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*Attorneys for Respondents*

**CERTIFICATE OF SERVICE**

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

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Chief Administrative Law Judge  
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