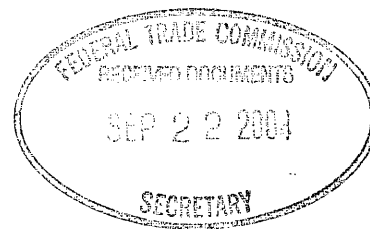


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



_____)
In the Matter of _____)
_____)
EVANSTON NORTHWESTERN HEALTHCARE _____)
CORPORATION, _____)
_____)
and _____)
_____)
ENH MEDICAL GROUP, INC., _____)
Respondents. _____)
_____)

Docket No. 9315

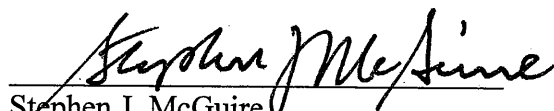
**ORDER ON RESPONDENTS' MOTION TO COMPEL ADVOCATE HEALTH CARE
TO PRODUCE DOCUMENTS REQUESTED BY SUBPOENA *DUCES TECUM***

On August 27, 2004, Respondents filed a motion to compel non-party Advocate Health Care ("Advocate") to produce documents requested by subpoena *duces tecum* ("Motion"). On September 10, 2004, Advocate filed its opposition ("Opposition"). On September 13, 2004, Respondents filed a reply ("Reply"). Complaint Counsel has no position on the motion according to its response filed on September 9, 2004.

Respondents seek production of documents requested by four subpoena *duces tecum* served on April 19, 2004 upon four of Advocate's Chicago area hospitals. Motion at 1, 5. Respondents assert that Advocate has yet to produce any documents responsive to Respondents' subpoenas. Motion at 6. Advocate argues that it has been engaged in productive communications regarding the subpoenas and that it has been involved in extensive discovery proceedings in other matters and is willing to allow Respondents to review these other documents. Opposition at 1-3. Respondents reply that they are willing to limit production to documents responsive to requests 2, 3, 4, 14, 26 and 31. Reply at 6.

Advocate has not established sufficient cause for failing to provide the documents requested in the subpoenas. Upon consideration of the arguments of the parties, Respondents motion is **GRANTED**. Advocate shall provide responses to requests 2, 3, 4, 14, 26 and 31 in the April 19, 2004 subpoena *duces tecum* within 10 days of the date of this Order.

ORDERED:



Stephen J. McGuire
Chief Administrative Law Judge

Date: September 22, 2004