



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

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In the Matter of )

OSF Healthcare System, and )  
Rockford Health System )

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Docket No. 9349

PUBLIC VERSION

**COMPLAINT COUNSEL'S UNOPPOSED MOTION TO PLACE  
COMPLAINT ON THE PUBLIC RECORD**

Complaint Counsel respectfully moves for an order placing an unredacted version of the Complaint on the public record. The Complaint contains quotes from the Respondents' and third-parties' documents that had been protected from disclosure during the pre-complaint investigation.<sup>1</sup> Complaint Counsel initially placed a redacted version of the Complaint on the public record, to permit Respondents' counsel the opportunity to examine the Complaint and identify any information that Respondents may claim is confidential.

Complaint Counsel now moves to place the unredacted Complaint on the public record. Through its counsel, Respondents have informed Complaint Counsel that they do not oppose this motion. Complaint Counsel also has obtained consent for this motion to place the complaint on the public record from relevant third parties that could potentially be impacted by the Court's order. A virtually-identical version of the Complaint has already been unsealed in the related district court proceeding, and thus the redacted information is already in the public domain. For the administrative complaint to remain redacted would serve no practical purpose and would

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<sup>1</sup> See 15 U.S.C. §§ 46(f), 57b-2(b),(c); 16 C.F.R. § 4.10(d).

likely cause confusion to have certain material remain *in camera* in the administrative proceeding but on the public record in the district court proceeding.

Moreover, the longstanding public policy in favor of open access to adjudicative records, as reflected in the Commission's Rules of Practice and the applicable law, creates a strong presumption in favor of public access to the full Complaint.

### CONCLUSION

For the foregoing reasons, Complaint Counsel respectfully request that the Court authorize placement of the original, unredacted Complaint on the public record.

Respectfully submitted,



Dated: December 05, 2011

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Complaint Counsel



## CERTIFICATE OF SERVICE

I hereby certify that on December 05, 2011, I filed *via* hand a paper original and electronic copy of the foregoing COMPLAINT COUNSEL'S UNOPPOSED MOTION TO PLACE COMPLAINT ON THE PUBLIC RECORD and PROPOSED ORDER GRANTING COMPLAINT COUNSEL'S UNOPPOSED MOTION TO PLACE COMPLAINT ON THE PUBLIC RECORD, with:

Donald S. Clark  
Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, NW, H-135  
Washington, DC 20580

The Honorable D. Michael Chappell  
Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Avenue, NW, H-106  
Washington, DC 20580

I hereby certify that on December 05, 2011, I delivered *via* electronic mail delivery a copy of the foregoing with:

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