

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

In the Matter of)
)
)

OSF Healthcare System,)
a corporation, and)

Rockford Health System,)
a corporation,)
Respondents.)
_____)

DOCKET NO. 9349

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


On December 5, 2011, Complaint Counsel filed an Unopposed Motion to Place Complaint on the Public Record ("Motion"). Complaint Counsel states that the Complaint filed in this matter contains redacted material taken from the documents of Respondents and third-parties, which material had been protected from disclosure during the pre-Complaint investigation. Complaint Counsel further states that it initially placed a redacted version of the Complaint in the public record of this matter to permit Respondents' counsel the opportunity to examine the Complaint and identify any information that Respondents may claim is confidential.

In the Motion, Complaint Counsel represents that a virtually identical version of the Complaint has already been unsealed in a related Federal District Court proceeding between the parties and that the redacted material in the administrative Complaint is, therefore, already in the public domain. Under such circumstances, Complaint Counsel argues, keeping the material redacted in this administrative proceeding would serve no practical purpose and would likely cause procedural confusion. Finally, Complaint Counsel notes that the longstanding public policy in favor of open access to adjudicative records creates a strong presumption in favor of granting full public access to the Complaint.

Complaint Counsel advises that Respondents have informed Complaint Counsel that Respondents do not oppose this motion. Complaint Counsel further represents that: "Complaint Counsel has also 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."

Based on the foregoing, Complaint Counsel's Unopposed Motion to Place Complaint on the Public Record is hereby GRANTED.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: December 6, 2011