

2016. Although the District Court has not yet set a date for closing arguments nor has it determined when it will issue its ruling, it is expected that this ruling will issue within a short time of the beginning of the administrative trial. *See* Exhibit A, PI Hearing Transcript 1384:6-1385:12.

In light of the forthcoming ruling in the preliminary injunction proceeding, Complaint Counsel and Respondents respectfully request that the Scheduling Order be amended to move certain deadlines. Concurrently, Complaint Counsel and Respondents are filing a motion with the Commission to delay the start of the administrative hearing until June 15, 2016. Amending the Scheduling Order will avoid significant burdens and expenses on third parties, who would need to file motions for *in camera* treatment of proposed trial exhibits, which are currently due on May 5, particularly where the Commission may delay the start of the adjudicative hearing. If the Commission does not move the trial date, these amended pre-trial deadlines will still enable the Parties to commence the trial as scheduled, on May 24, 2016. In the event that the Commission grants the requested motion to delay the start of the hearing until June 15, 2016, the parties intend to request further modification of the Scheduling Order. Following are the proposed amendments to the Scheduling Order:

PUBLIC VERSION

Action	Current Deadline	Proposed Deadline
Complaint Counsel to provide rebuttal expert report(s).	May 2, 2016	May 16, 2016
Deadline for filing motions <i>in limine</i> to preclude admission of evidence.	May 3, 2016	May 16, 2016
Exchange and serve courtesy copy on ALJ objections to final proposed witness lists and exhibit lists.	May 4, 2016	May 20, 2016
Deadline for filing motions for <i>in camera</i> treatment of proposed trial exhibits.	May 5, 2016	May 16, 2016
Deadline for depositions of experts (including rebuttal experts) and exchange of expert related exhibits	May 9, 2016	May 16, 2016
Deadline for filing responses to motions <i>in limine</i> to preclude admission of evidence.	May 9, 2016	May 18, 2016
Complaint Counsel files pretrial brief supported by legal authority.	May 10, 2016	May 18 , 2016
Deadline for filing responses to motions for <i>in camera</i> treatment of proposed trial exhibits.	May 10, 2016	May 20, 2016
Exchange proposed stipulations of law, facts, and authenticity.	May 17, 2016	May 19, 2016
Respondents' Counsel files pretrial brief supported by legal authority.	May 17, 2016	May 20, 2016
By 1:00 p.m., file final stipulations of law, facts, and authenticity.	May 18, 2016	May 20, 2016
Final prehearing conference	May 19, 2016	May 23, 2016

A Proposed Order is attached.

Dated: April 26, 2016

/s/ Robert McCann

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Respectfully submitted,

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

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In the Matter of)	
)	
)	
Advocate Health Care Network,)	Docket No. 9369
a corporation;)	
)	
Advocate Health and Hospitals Corporation,)	PUBLIC DOCUMENT
a corporation;)	
)	
and)	
)	
NorthShore University HealthSystem,)	
a corporation.)	
<hr/>)	

[PROPOSED] ORDER AMENDING SCHEDULING ORDER

This matter having come before the Court upon the Joint Motion to Amend the Scheduling Order, and having considered the position of the Parties, it is hereby ORDERED that the Scheduling Order in the above-captioned matter is amended to reflect the agreed-upon dates provided in the Joint Motion. All other deadlines in the Scheduling order remain in effect.

SO ORDERED.

Date: _____

EXHIBIT A

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IN THE United STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION and)	
STATE OF ILLINOIS,)	
)	
Plaintiffs,)	
)	
v.)	No. 15 C 11473
)	
ADVOCATE HEALTH CARE NETWORK,)	
ADVOCATE HEALTH AND HOSPITALS)	
CORPORATION, and NORTHSHORE)	
UNIVERSITY HEALTHSYSTEM,)	Chicago, Illinois
)	April 20, 2016
Defendants.)	10:15 a.m.

VOLUME 7
TRANSCRIPT OF PROCEEDINGS - PRELIMINARY INJUNCTION HEARING
BEFORE THE HONORABLE JORGE L. ALONSO

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10:21:52 1 servants in this. But if it were our druthers, I believe both
10:21:56 2 sides thought an hour and a half a side was probably the right
10:21:59 3 answer in terms of that.

10:22:00 4 MR. WEBB: That's right.

10:22:03 5 MR. GREENE: So I think that's our --

10:22:04 6 THE COURT: I think an hour would be more helpful
10:22:08 7 to --

8 MR. GREENE: Okay.

10:22:08 9 THE COURT: -- me. To the extent the parties
10:22:10 10 condense it, that would actually be more helpful. Doesn't
10:22:14 11 sound logical but it actually is in my experience. So let's
10:22:18 12 make it an hour for closing. Let's set 5/13 for those
10:22:24 13 post-trial briefings. And we've talked about what exactly
10:22:28 14 those will -- or what they may possibly include. And then I
10:22:34 15 will have to look, and Ms. Fratto will have to look, at the
10:22:37 16 calendar to get you guys in here shortly thereafter for
10:22:42 17 closing arguments or -- I should say after 5/6. We'll look at
10:22:48 18 the calendar to see what date after 5/6 makes sense for
10:22:52 19 closing arguments.

10:22:54 20 MR. GREENE: Yeah, I think our collective view -- I
10:22:56 21 mean, it's whatever helps you. But I think our view is that
10:22:59 22 giving you some opportunity to look at the findings of fact,
10:23:02 23 conclusions of law and then we could -- you could ask us the
10:23:06 24 hard questions, which I think is really the point of this kind
10:23:08 25 of thing.

10:23:08 1 THE COURT: So after 5/13 is your sense?

10:23:11 2 MR. GREENE: That would be my sense, yes, Your Honor.

10:23:13 3 MR. WEBB: We had the same view.

10:23:14 4 THE COURT: Okay.

10:23:16 5 MR. GREENE: And then, again, just for the record,

10:23:18 6 you know, the administrative trial begins on the 24th

10:23:21 7 currently so --

10:23:22 8 THE COURT: Right. Okay.

10:23:28 9 MR. ROBERTSON: Mr. Greene is going.

10:23:31 10 THE COURT: Right. Okay. So I'll get you that

10:23:35 11 information, the sooner the better. Is it too late to include

10:23:40 12 tomorrow, or no, in terms of witness availability?

10:23:45 13 MR. ROBERTSON: We hadn't planned on it, Your Honor.

10:23:47 14 MR. GREENE: Yeah, that's correct.

10:23:48 15 THE COURT: So forget about tomorrow. We are looking

10:23:50 16 at 5/6, and hopefully we have enough time allotted on 5/6.

10:23:55 17 MR. ROBERTSON: Yes, sir.

10:23:55 18 MR. DAHLQUIST: We think we do.

10:23:57 19 MR. GREENE: And, absolutely, I think our time

10:23:58 20 budgets will be essentially very limited by the end of today

10:24:02 21 so --

10:24:03 22 MR. WEBB: There may be only like an hour. We may

10:24:05 23 only have each like an hour or -- so as far as how much

10:24:10 24 testimony there will actually be on May 6th, it looks like

10:24:13 25 maybe it's going to be an hour on each side if I had to

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2016, I caused the foregoing document to be electronically filed with the Secretary of the Commission using the Federal Trade Commission's e-filing system, causing the document to be served on all of the following registered participants:

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The Honorable D. Michael Chappell
Administrative Law Judge
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I also certify that I delivered via electronic mail a copy of the foregoing document

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CERTIFICATE FOR ELECTONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

April 26, 2016

By: s/ Emily Bowne

Notice of Electronic Service

I hereby certify that on April 26, 2016, I filed an electronic copy of the foregoing Advocate - Joint Motion to Amend Scheduling Order, with:

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