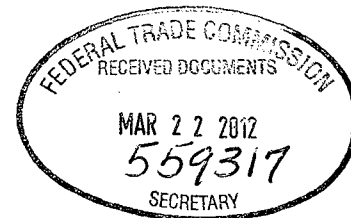


PUBLIC

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



In the Matter of

OSF Healthcare System and Rockford Health  
System,

Respondents,

DOCKET NO. 9349

Chief Administrative Law Judge  
D. Michael Chappell

[PUBLIC]

**MOTION BY THIRD PARTY BLUE CROSS AND BLUE SHIELD OF ILLINOIS  
FOR LEAVE TO FILE MOTION FOR *IN CAMERA* TREATMENT *NUNC PRO TUNC***

Third Party Blue Cross and Blue Shield of Illinois (“BCBSIL”), a division of Health Care Service Corporation, an Illinois Mutual Legal Reserve Company, hereby moves this Court for leave to file its Motion for *In Camera* Treatment of Proposed Evidence *nunc pro tunc* March 20, 2012. In support of its Motion, BCBSIL states:

1. Complaint Counsel and Respondents both notified BCBSIL on March 13, 2012, that they had designated confidential information produced by BCBSIL and confidential deposition testimony of a BCBSIL employee for possible use in this matter. Complaint Counsel advised BCBSIL that the Case Management Order in this matter required any motion for *in camera* treatment of this evidence to be filed by March 20, 2012.

2. BCBSIL’s Motion for *In Camera* Treatment was served on all parties on March 20, 2012, by e-mail delivery, but because of a problem printing the voluminous appendix of evidence, the original and paper copies being delivered for filing got to the Federal Trade

Commission office just after 5:00 p.m. and could not be filed on that date.<sup>1</sup> Those documents and electronic copies were delivered for filing the morning of March 21, 2012.

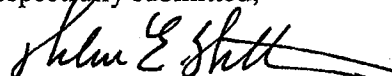
3. BCBSIL's Motion for *In Camera* Treatment of Proposed Evidence seeks leave to protect information that, if publically disclosed, would result in severe competitive harm to its interests. It would work an extreme prejudice on BCBSIL to prevent its motion from being considered on the merits because of its one day late filing, especially in light of the fact that the motion was served on all parties on its due date of March 20, 2012.

4. BCBSIL's Motion was not filed on the due date as a result of a technical printing problem, and not because of any disregard of the deadline.

WHEREFORE, third party BCBSIL respectfully requests an order granting it leave to file its Motion for *In Camera* Treatment of Proposed Evidence *Nunc Pro Tunc* March 20, 2012. A proposed Order is attached to this Motion.

Dated: March 22, 2012

Respectfully submitted,



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*Attorney for Third-Party Blue Cross Blue  
Shield of Illinois, a division of Health Care  
Service Corporation*

---

<sup>1</sup> BCBSI attempted to e-mail its motion to [oalj@ftc.gov](mailto:oalj@ftc.gov) on March 20, 2012, but the mailbox was full and would not accept the e-mail.

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

In the Matter of

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DOCKET NO. 9349

Chief Administrative Law Judge  
D. Michael Chappell

**PROPOSED ORDER**

On March 22, 2012, Non-Party Blue Cross Blue Shield of Illinois ("BCBSIL") filed a Motion For Leave to File Motion for *In Camera* Treatment *Nunc Pro Tunc* March 20, 2012.

IT IS HEREBY ORDERED that BCBSIL's Motion is GRANTED and BCBSIL's Motion for *In Camera* Treatment will be deemed filed March 20, 2012.

ORDERED: \_\_\_\_\_

D. Michael Chappell  
Chief Administrative Law Judge

DATED: \_\_\_\_\_

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

In the Matter of

OSF Healthcare System and Rockford Health  
System,

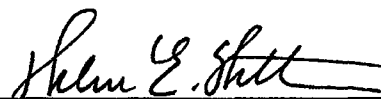
Respondents,

DOCKET NO. 9349

Chief Administrative Law Judge  
D. Michael Chappell

**CERTIFICATE OF VERIFICATION OF WORD COUNT**

I HEREBY CERTIFY that the foregoing Motion By Third Party Blue Cross Blue Shield of Illinois for Leave to File Motion For *In Camera* Treatment of Proposed Evidence does not exceed the 2,500 word count per 16 CFR § 3.22 (c).



Helen E. Witt

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

In the Matter of

OSF Healthcare System and Rockford Health  
System,

Respondents,

DOCKET NO. 9349

Chief Administrative Law Judge  
D. Michael Chappell

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Motion for Leave to File Motion for  
*In Camera* Treatment *Nunc Pro Tunc* was served on the following as indicated on March 22,  
2012:

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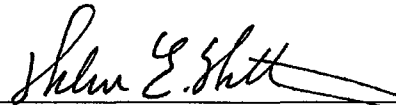
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