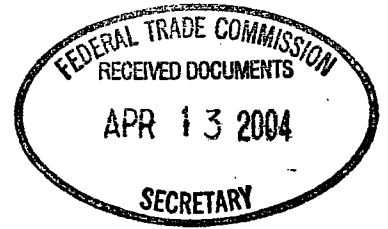


UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES



\_\_\_\_\_  
In the Matter of )  
 )  
North Texas Specialty Physicians, )  
Respondent. )  
\_\_\_\_\_ )

Docket No. 9312

**ORDER ON MOTIONS SEEKING TO COMPEL RESPONDENT TO FURTHER  
NARROW ITS DOCUMENT DESIGNATIONS AND TO FURTHER EXTEND  
THE DEADLINE FOR FILING MOTIONS FOR *IN CAMERA* TREATMENT**

On April 9, 2004, nonparties United HealthCare of Texas, Inc. (“United”), Cigna HealthCare of Texas, Inc., Aetna Health Inc., Humana Health Plan of Texas, Inc. (“Humana”), and Blue Cross Blue Shield of Texas, (collectively, the “nonparty payors”), filed a joint motion to compel Respondent to narrow its document designations and to extend the time for the nonparty payors to file motions for *in camera* treatment. (“Joint Motion”). Humana and United filed separate Joinders, on April 9 and April 12, 2004, respectively. Complaint Counsel also filed a response in support of the nonparty payors’ motions on April 9, 2004.

By Order dated April 1, 2004, Respondent was ordered to narrow its designations of documents it intends to offer into evidence at trial. Respondent was ordered to “review its existing document designations and . . . narrow those designations to include only those documents for which NTSP has a good faith basis it intends to use at trial.” The April 1, 2004 Order required Respondent to provide its narrowed designations by April 7, 2004. The April 1, 2004 Order also required motions for *in camera* to be filed by April 12, 2004.

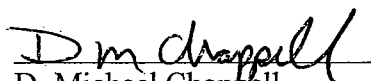
The nonparty payors assert that Respondent’s designations are still not sufficiently narrow. The nonparty payors further assert that Respondent did not provide its revised designations until after close of business on April 7, 2004.

The nonparty payors’ filed their motions the business day before their motions for *in camera* treatment were due. The approaching trial date leaves no time for further briefing on this issue. The Respondent was previously ordered to narrow its document designations. Failure to comply with that order and any abuse of the *in camera* process will be appropriately dealt with, if necessary.

The motions of the nonparty payors are GRANTED IN PART and DENIED IN PART. NTSP is not required to further narrow its document designations before the motions for *in camera* treatment are filed. The nonparty payors' deadline for filing motions for *in camera* treatment is extended until April 14, 2004. The nonparty payors and Respondent were informed of this ruling on April 12, 2004.

Any oppositions to the motions for *in camera* treatment are due by April 19, 2004.

ORDERED:

  
D. Michael Chappell  
Administrative Law Judge

Date: April 13, 2004

