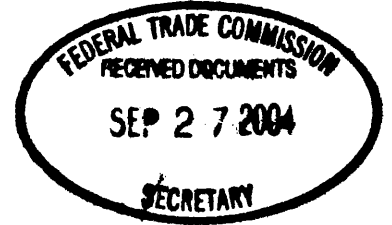


UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



_____)
)
)
In the Matter of)
)
Evanston Northwestern Healthcare)
Corporation,)
a corporation, and)
)
ENH Medical Group, Inc.)
a corporation.)
_____)

Docket No. 9315

**JOINT MOTION OF RESPONDENTS AND THIRD PARTY FIRST HEALTH
REQUESTING ISSUANCE OF PROPOSED ORDER TO RESOLVE RESPONDENTS'
PENDING MOTION TO COMPEL**

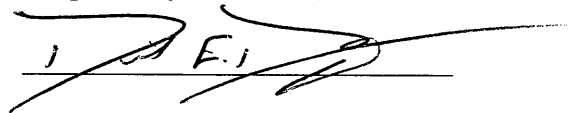
Evanston Northwestern Healthcare and ENH Medical Group (collectively "Respondents") together with Third Party First Health hereby submit this joint motion to resolve Respondents' pending Motion to Compel First Health to Produce Documents Requested by Subpoena *Duces Tecum*. Both parties respectfully request that this Honorable Court enter the attached proposed order which has been agreed upon by the parties.

On August 27, 2004, Respondents filed their Motion to Compel First Health to Produce Documents Requested By Subpoena *Duces Tecum*. On September 9, 2004, First Health filed its Motion For Extension of Time to Oppose Respondents' Motion to Compel. Respondents opposed First Health's Motion for Extension of Time on September 10, 2004. On September 22, 2004, this Court entered an Order granting in part and denying in part First Health's Motion for an Extension of Time and ordered Third Party First Health to respond to Respondents' Motion to Compel on or before September 27, 2004.

Since the filing of Respondents' Motion to Compel, counsel for Respondents and counsel for First Health have engaged in numerous productive discussions regarding First Health's compliance with Respondents' subpoenas *duces tecum*. Both parties are attempting to resolve all outstanding subpoena issues without further involvement of this Court and therefore request that the attached proposed order be entered.

DATED: September 27, 2004

Respectfully submitted,



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Attorneys for First Health

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

_____)
)
In the Matter of)
)
Evanston Northwestern Healthcare)
Corporation,)
a corporation, and)
)
ENH Medical Group, Inc.)
a corporation.)
_____)

Docket No. 9315

ORDER

Upon consideration of the Joint Motion of Respondents and Third Party First Health Requesting Issuance of Proposed Order to Resolve Respondents' Pending Motion to Compel,

IT IS HERBY ORDERED that Respondents' Motion to Compel is hereby granted in part and denied in part. First Health will produce on a rolling basis documents responsive to Requests 1, 4, 5, 6, 8, 11, 12, and 32, subject to all limitations agreed upon by the parties and all applicable privileges and objections. First Health has already begun to produce documents, but First Health believes it may need until October 22, 2004 to complete it's production. Therefore, First Health shall complete it's production on or before October 22, 2004.

Stephen J. McGuire
Administrative Law Judge

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2004, a copy of the foregoing Joint Motion of Respondents and Third Party First Health requesting Issuance of Proposed Order to Resolve Respondents' Pending Motion to Compel was served by email and first class mail, postage prepaid, on:

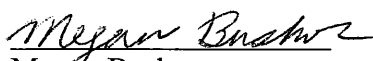
The Honorable Stephen J. McGuire
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave. NW (H-106)
Washington, DC 20580
(two courtesy copies delivered by messenger only)

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