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

In the matter of

Evanston Northwestern Healthcare Corporation.

a corporation, and

Docket No. 9315

EDERAL TRADE COMMISS

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STIPULATION REGARDING ADMISSIBILITY OF EXHIBITS CX00018, CX00144, CX00405 AND CX01687

At the February 8, 2005 final prehearing conference, Respondent Evanston Northwestern Healthcare Corporation ("ENH") raised specific objections to the admissibility of Complaint Counsel exhibits CX00018, CX00144, CX00405 and CX01687. Consistent with the Court's order concerning these specific objections, and pursuant to the Joint Stipulations Regarding Admissibility Of Trial Exhibits dated February 10, 2005, the parties further stipulate that:

- 1. CX00018 is admitted into evidence, except that the contents of page CX00018-0002 (ENH MN 002857) shall not be admitted for the truth of the matters asserted therein.
- 2. CX00144 is admitted into evidence, except that the statements attributed to third parties in the second and third sentences in the first paragraph of the email sent on October 22, 2002 at 12:20 pm from Jodi Levine to Jeffrey Hillebrand shall not be admitted for the truth of the matters asserted therein.
- 3. CX00405 is admitted into evidence, except that the statements attributed to third parties in the entries in the column "Supporting Comments" contained in the chart on pages CX00405-002 through CX00405-013 (ENH MM 004738 - 4749) shall not be admitted for the truth of the matters asserted therein.
- 4. CX01687 is admitted into evidence, except that the contents of the message contained in the email on page CX01687-002 (ENHE PK 019533) shall not be admitted for the truth of the matters asserted therein.

Respectfully Submitted,

Komus H. Bruke

Thomas H. Brock, Esq. Federal Trade Commission 600 Pennsylvania, Ave. NW (H-374) Washington, DC 20580 (202)326-2813 Fax: (202)326-2214 Email: TBrock@ftc.gov

Complaint Counsel

Michael L. Sibarium Charles B. Klein WINSTON & STRAWN, LLP 1400 L St. NW Washington, DC 20005 (202)371-5777 Fax: (202)371-5950 Email: msibarium@winston.com Email: cklein@winston.com

Duane M. Kelley WINSTON & STRAWN, LLP 35 West Wacker Dr. Chicago, IL 60601-9703 (312)338-5764 Fax: (312)558-5700 dkelley@winston.com

Counsel for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2005, a copy of the foregoing *Stipulation Regarding Admissibility of Exhibits CX00018, CX00144, CX00405 and CX01687* 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 Avenue, NW (H-106) Washington, DC 20580 (two courtesy copies delivered by messenger only)

Thomas H. Brock, Esq. Federal Trade Commission 600 Pennsylvania, Avenue, NW (H-374) Washington, DC 20580 tbrock@ftc.gov

Philip M. Eisenstat, Esq. Federal Trade Commission 601 New Jersey Avenue, N.W. Room NJ-5235 Washington, DC 20580 peisenstat@ftc.gov

Chul Pak, Esq. Assistant Director Mergers IV Federal Trade Commission 601 New Jersey Avenue, N.W. Washington, DC 20580 cpak@ftc.gov (served by email only)

Charles B. Klein

DC:401513.1