

**U.S. District Court**  
**Eastern District of Michigan (Ann Arbor)**  
**CIVIL DOCKET FOR CASE #: 5:15-cv-12311-JEL-DRG**

United States et al v. W.A. Foote Memorial Hospital et al  
Assigned to: District Judge Judith E. Levy  
Referred to: Magistrate Judge David R. Grand  
Cause: 15:1 Antitrust Litigation

Date Filed: 06/25/2015  
Jury Demand: None  
Nature of Suit: 410 Anti-Trust  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States**

represented by **Garrett Liskey**  
U.S. Department of Justice  
Antitrust/Litigation I Section  
450 Fifth Street, N.W.  
Suite 4100  
Washington, DC 20001  
202-598-2849  
Fax: 202-307-5802  
Email: Garrett.Liskey@usdoj.gov  
*ATTORNEY TO BE NOTICED*

**Katrina Rouse**

United States Department of Justice  
Antitrust Division/Litigation I Section  
450 Fifth Street NW  
Washington, DC 20001  
202-305-7498  
Fax: 202-307-5802  
Email: katrina.rouse@usdoj.gov  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Michigan, State of**

represented by **Dee J. Pascoe**  
MI Department of Attorney General  
Social Services  
P.O. Box 30758  
Lansing, MI 48909  
517-373-7700  
Email: pascoedj@michigan.gov  
*ATTORNEY TO BE NOTICED*

**Mark A. Gabrielse**

State of Michigan  
Department of Attorney General  
P.O. Box 30755  
Lansing, MI 48909  
517-373-1160  
Fax: 517-335-6755  
Email: GabrielseM@michigan.gov  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**W.A. Foote Memorial Hospital**  
*Doing business as*

represented by **Doron Yitzchaki**  
Dickinson Wright

Allegiance Health

350 South Main Street  
Suite 300  
Ann Arbor, MI 48104-2131  
734-623-1947  
Fax: 734-623-1625  
Email: DYitzchaki@dickinsonwright.com  
*ATTORNEY TO BE NOTICED*

**James Michael Burns**  
Baker Donelson PC  
901 K Street NW  
Suite 900  
Washington, DC 20001  
202-508-3430  
Fax: 202-220-2230  
Email: jmburns@bakerdonelson.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Hillsdale Community Health Center**  
*TERMINATED: 10/21/2015*

represented by **Larry R. Jensen , Jr.**  
Hall, Render, Killian, Heath & Lyman, PLLC  
Columbia Center, Suite 1200  
201 W. Big Beaver Rd  
Troy, MI 48084  
248-457-7505  
Email: LJensen@hallrender.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Community Health Center of Branch County**  
*TERMINATED: 10/21/2015*

represented by **Larry R. Jensen , Jr.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**ProMedica Health System, Inc.**  
*TERMINATED: 10/21/2015*

represented by **Daniel G. Powers**  
McDermott Will & Emory  
500 North Capitol Street NW  
Washington, DC 20001  
202-756-8000  
Fax: 202-591-2869  
Email: dgpowers@mwe.com  
*ATTORNEY TO BE NOTICED*

**Stephen Y. Wu**  
McDermott, Will,  
227 W. Monroe Street  
Chicago, IL 60606  
312-372-2000  
Fax: 312 984 7700  
Email: swu@mwe.com  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/25/2015	<a href="#">1</a>	COMPLAINT filed by United States against Community Health Center of Branch County, Hillsdale Community Health Center, ProMedica Health System, Inc., W.A. Foote Memorial Hospital. <a href="#">Plaintiff requests summons issued.</a> No Fee Required - US Government. <a href="#">County of 1st Plaintiff: USA - County Where Action Arose: Jackson - County of 1st Defendant: Hillsdale.</a> <a href="#">[Previously dismissed case: No]</a> <a href="#">[Possible companion case(s): None]</a> (Rouse, Katrina)

		(Entered: 06/25/2015)
06/25/2015	<a href="#">2</a>	STIPULATION by Michigan, State of, United States (Attachments: # <a href="#">1</a> Exhibit A - Proposed Final Judgment) (Rouse, Katrina) (Entered: 06/25/2015)
06/25/2015	<a href="#">3</a>	STATEMENT of Competitive Impact by United States (Rouse, Katrina) (Entered: 06/25/2015)
06/25/2015	<a href="#">4</a>	<i>Explanation of Consent Decree Procedures</i> STATEMENT of by United States (Rouse, Katrina) (Entered: 06/25/2015)
06/26/2015	<a href="#">5</a>	SUMMONS Issued for *Community Health Center of Branch County, Hillsdale Community Health Center, ProMedica Health System, Inc., W.A. Foote Memorial Hospital* (DAll) (Entered: 06/26/2015)
06/26/2015		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at <a href="http://www.mied.uscourts.gov">http://www.mied.uscourts.gov</a> (DAll) (Entered: 06/26/2015)
06/26/2015	<a href="#">6</a>	CERTIFICATE of Service/Summons Returned Executed. W.A. Foote Memorial Hospital served on 6/26/2015, answer due 7/17/2015. (Rouse, Katrina) (Entered: 06/26/2015)
06/26/2015	<a href="#">7</a>	NOTICE of Appearance by Stephen Y. Wu on behalf of ProMedica Health System, Inc.. (Wu, Stephen) (Entered: 06/26/2015)
06/26/2015	<a href="#">8</a>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by ProMedica Health System, Inc. (Wu, Stephen) (Entered: 06/26/2015)
06/29/2015	<a href="#">9</a>	NOTICE of Appearance by Dee J. Pascoe on behalf of Michigan, State of. (Pascoe, Dee) (Entered: 06/29/2015)
07/01/2015	<a href="#">10</a>	NOTICE by ProMedica Health System, Inc. re <a href="#">2</a> Stipulation <i>15 U.S.C. § 16(g) Certification</i> (Wu, Stephen) (Entered: 07/01/2015)
07/01/2015	<a href="#">11</a>	STIPULATION AND ORDER - Signed by District Judge Judith E. Levy. (FMos) (Entered: 07/01/2015)
07/01/2015	<a href="#">12</a>	ATTORNEY APPEARANCE: Larry R. Jensen, Jr appearing on behalf of Hillsdale Community Health Center (Jensen, Larry) (Entered: 07/01/2015)
07/01/2015	<a href="#">13</a>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Hillsdale Community Health Center (Jensen, Larry) (Entered: 07/01/2015)
07/01/2015	<a href="#">14</a>	ATTORNEY APPEARANCE: Larry R. Jensen, Jr appearing on behalf of Community Health Center of Branch County (Jensen, Larry) (Entered: 07/01/2015)
07/01/2015	<a href="#">15</a>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Community Health Center of Branch County (Jensen, Larry) (Entered: 07/01/2015)
07/02/2015	<a href="#">16</a>	NOTICE by Community Health Center of Branch County <i>CERTIFICATION PURSUANT TO 15 U.S.C. §16(g)</i> (Jensen, Larry) (Entered: 07/02/2015)
07/02/2015	<a href="#">17</a>	NOTICE by Hillsdale Community Health Center <i>CERTIFICATION PURSUANT TO 15 U.S.C. §16(g)</i> (Jensen, Larry) (Entered: 07/02/2015)
07/06/2015	<a href="#">18</a>	NOTICE of Appearance by Mark A. Gabrielse on behalf of Michigan, State of. (Gabrielse, Mark) (Entered: 07/06/2015)
07/09/2015	<a href="#">19</a>	NOTICE of Appearance by Daniel Gerard Powers on behalf of ProMedica Health System, Inc.. (Powers, Daniel) (Entered: 07/09/2015)
07/15/2015	<a href="#">20</a>	NOTICE of Appearance by James Michael Burns on behalf of W.A. Foote Memorial Hospital. (Burns, James) (Entered: 07/15/2015)
07/15/2015	<a href="#">21</a>	NOTICE of Appearance by Doron Yitzchaki on behalf of W.A. Foote Memorial Hospital. (Yitzchaki, Doron) (Entered: 07/15/2015)
07/15/2015	<a href="#">22</a>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by W.A. Foote Memorial Hospital (Yitzchaki, Doron) (Entered: 07/15/2015)
07/17/2015	<a href="#">23</a>	ORDER Extending Time to Respond to <a href="#">1</a> Complaint and Granting Related Relief - ( <b>Response due by 8/10/2015</b> ) - Signed by District Judge Judith E. Levy. (FMos) (Entered: 07/17/2015)

08/10/2015	<a href="#">24</a>	ANSWER to Complaint with Affirmative Defenses by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 08/10/2015)
09/08/2015	<a href="#">25</a>	Joint MOTION for Entry of Stipulated Discovery Scheduling Order by W.A. Foote Memorial Hospital and by All Plaintiffs. (Rouse, Katrina) (Entered: 09/08/2015)
09/09/2015	<a href="#">26</a>	NOTICE TO APPEAR BY TELEPHONE: <b>Telephonic Scheduling Conference set for 10/2/2015 AT 10:30 AM before District Judge Judith E. Levy</b> - The parties are instructed to call in jointly (FMos) (Entered: 09/09/2015)
09/17/2015	<a href="#">27</a>	Joint MOTION TO EXTEND Time to File Discovery Plan and Rule 26(f) Report by W.A. Foote Memorial Hospital and by All Plaintiffs. (Rouse, Katrina) (Entered: 09/17/2015)
09/18/2015		TEXT-ONLY ORDER Granting <a href="#">27</a> Joint MOTION TO EXTEND Time to File Discovery Plan and Rule 26(f) Report by September 22, 2015 - Entered by District Judge Judith E. Levy. (FMos) (Entered: 09/18/2015)
09/22/2015	<a href="#">28</a>	DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Rouse, Katrina) Modified on 9/22/2015 (DTyl)[ JOINT DISCOVERY PLAN, CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER] (Entered: 09/22/2015)
09/24/2015	<a href="#">29</a>	MOTION for Entry of the Proposed Final Judgment by United States. (Attachments: # <a href="#">1</a> Index of Exhibits, # <a href="#">2</a> Exhibit A - Proposed Final Judgment, # <a href="#">3</a> Exhibit B - Certificate of Compliance with the APPA) (Rouse, Katrina) (Entered: 09/24/2015)
09/25/2015	<a href="#">30</a>	NOTICE TO APPEAR BY TELEPHONE: <b>Telephonic Status Conference set for 9/25/2015 at 11:00 AM before District Judge Judith E. Levy</b> - THE COURT WILL INITIATE THE CALL (FMos) (Entered: 09/25/2015)
09/25/2015		Minute Entry for proceedings before District Judge Judith E. Levy: Telephonic Status Conference held on 9/25/2015 - Disposition: Discovery related to the proposed settling defendants is stayed until a decision on the Motion for Entry of the Proposed Final Judgment <a href="#">29</a> . Defendant Allegiance Health has until October 9, 2015, to submit a brief regarding whether settling defendants should remain parties for discovery purposes after entry of settlement. Plaintiffs and settling defendants have until October 19, 2015 to reply to defendant Allegiance Health's brief.(Court Reporter Andrea Wabeke) (FMos) (Entered: 09/25/2015)
10/01/2015		RESET Deadlines/Hearings: <b>Telephonic Scheduling Conference reset for 10/19/2015 at 10:30 AM before District Judge Judith E. Levy</b> - The parties will call in jointly (FMos) (Entered: 10/01/2015)
10/09/2015	<a href="#">31</a>	SUPPLEMENTAL BRIEF re <a href="#">29</a> MOTION for Entry of the Proposed Final Judgment <i>Allegiance Health's Supplemental Brief in Support of Its Request that the Court Impose Discovery Conditions on the Settling Defendants Should It Enter Plaintiffs' Proposed Final Judgment</i> filed by W.A. Foote Memorial Hospital. (Yitzchaki, Doron) (Entered: 10/09/2015)
10/16/2015	<a href="#">32</a>	REPLY to Response re <a href="#">29</a> MOTION for Entry of the Proposed Final Judgment filed by ProMedica Health System, Inc.. (Wu, Stephen) (Entered: 10/16/2015)
10/16/2015	<a href="#">33</a>	SUPPLEMENTAL BRIEF re <a href="#">31</a> Supplemental Brief, <i>Brief in Opposition to Allegiance Health's Memorandum</i> filed by Community Health Center of Branch County, Hillsdale Community Health Center. (Attachments: # <a href="#">1</a> Exhibit 1) (Jensen, Larry) (Entered: 10/16/2015)
10/16/2015	<a href="#">34</a>	REPLY to Response re <a href="#">29</a> MOTION for Entry of the Proposed Final Judgment filed by All Plaintiffs. (Rouse, Katrina) (Entered: 10/16/2015)
10/19/2015		Minute Entry for proceedings before District Judge Judith E. Levy: Telephonic Scheduling Conference held on 10/19/2015 (FMos) (Entered: 10/20/2015)
10/20/2015	<a href="#">35</a>	SCHEDULING ORDER: <b>Fact discovery due by 8/5/2016, Discovery due by 11/21/2016, Dispositive Motion Cut-off set for 12/6/2016, Joint Final Pretrial Order due by 3/28/2017, Final Pretrial Conference set for 4/4/2017 at 10:00 AM, Jury Trial set for 4/18/2017 at 8:30 AM before District Judge Judith E. Levy</b> - Signed by District Judge Judith E. Levy. (Refer to image for additional dates) (FMos) (Entered: 10/20/2015)
10/21/2015	<a href="#">36</a>	ORDER Granting Plaintiff's <a href="#">29</a> Motion for Entry of Proposed Final Judgment. Signed by District Judge Judith E. Levy. (FMos) (Entered: 10/21/2015)
10/21/2015	<a href="#">37</a>	ORDER Dismissing Hillsdale Community Health Center, Community Health Center of Branch County, and Promedica Health System, Inc. as Parties to the Litigation. Signed by District Judge Judith E. Levy. (FMos) (Entered: 10/21/2015)

10/23/2015	<a href="#">38</a>	NOTICE by W.A. Foote Memorial Hospital of <i>Service of Subpoena Duces Tecum to Hillsdale Community Health Center</i> (Attachments: # <a href="#">1</a> Exhibit A) (Yitzchaki, Doron) (Entered: 10/23/2015)
10/23/2015	<a href="#">39</a>	MOTION for Protective Order by All Plaintiffs. (Attachments: # <a href="#">1</a> Index of Exhibits, # <a href="#">2</a> Exhibit A - Proposed Protective Order, # <a href="#">3</a> Exhibit B - Stipulated Protective Order in United States v. Blue Cross Blue Shield of Mich.) (Rouse, Katrina) (Entered: 10/23/2015)
10/27/2015	<a href="#">40</a>	Joint MOTION for Entry of Stipulated Scheduling and Case-Management Orders by W.A. Foote Memorial Hospital and by All Plaintiffs. (Rouse, Katrina) (Entered: 10/27/2015)
10/28/2015	<a href="#">41</a>	STIPULATED AMENDED SCHEDULING ORDER - Signed by District Judge Judith E. Levy. (Refer to image for additional dates) (FMos) (Entered: 10/28/2015)
10/28/2015	<a href="#">42</a>	Notice of Determination of Motion Without Oral Argument re <a href="#">39</a> MOTION for Protective Order (FMos) (Entered: 10/28/2015)
11/06/2015	<a href="#">43</a>	RESPONSE to <a href="#">39</a> MOTION for Protective Order filed by W.A. Foote Memorial Hospital. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D) (Burns, James) (Entered: 11/06/2015)
11/13/2015	<a href="#">44</a>	MOTION to Seal <i>Confidential Information</i> by Michigan, State of, United States. (Rouse, Katrina) (Entered: 11/13/2015)
11/13/2015	<a href="#">45</a>	REPLY to Response re <a href="#">39</a> MOTION for Protective Order filed by Michigan, State of, United States. (Attachments: # <a href="#">1</a> Index of Exhibits, # <a href="#">2</a> Exhibit 4 - order, # <a href="#">3</a> Exhibit 5 - order) (Rouse, Katrina) (Entered: 11/13/2015)
11/13/2015	<a href="#">46</a>	<b>SEALED</b> REPLY to Response re <a href="#">39</a> Motion for Protective Order, by Michigan, State of, United States. (Attachments: # <a href="#">1</a> Index of Exhibits, # <a href="#">2</a> Exhibit 1 - sealed, # <a href="#">3</a> Exhibit 2 - sealed, # <a href="#">4</a> Exhibit 3 - sealed) (Rouse, Katrina) (Entered: 11/13/2015)
11/16/2015	<a href="#">47</a>	ORDER Granting Plaintiffs' <a href="#">44</a> Motion to File Confidential Information Under Seal. Signed by District Judge Judith E. Levy. (FMos) (Entered: 11/16/2015)
12/10/2015		Minute Entry for proceedings before District Judge Judith E. Levy: Telephonic Conference held on 12/10/2015. (Court Reporter Digitally Recorded) (EBut) (Entered: 12/11/2015)
12/16/2015	<a href="#">48</a>	ORDER Granting Plaintiffs' <a href="#">39</a> Motion for Protective Order. Signed by District Judge Judith E. Levy. (FMos) (Entered: 12/16/2015)
12/16/2015	<a href="#">49</a>	PROTECTIVE ORDER Governing Confidential and Highly Confidential Information - Signed by District Judge Judith E. Levy. (FMos) (Entered: 12/16/2015)
12/18/2015		Remark - Minute Entry entered on 12/10/15 is amended as follows. As set forth on the record, Hillsdale Community Health Center shall have until January 29, 2016, to comply with the protective order (Dkt. 49) regarding the documents already produced to Allegiance Health. (FMos) (Entered: 12/18/2015)
12/21/2015	<a href="#">50</a>	TRANSCRIPT of Telephonic Conference held on 12/10/2015. (Court Reporter/Transcriber: Jeseca C. Eddington) (Number of Pages: 32) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 1/11/2016. Redacted Transcript Deadline set for 1/21/2016. Release of Transcript Restriction set for 3/21/2016. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacobs, J) (Entered: 12/21/2015)
02/11/2016	<a href="#">51</a>	NOTICE of Appearance by Garrett Liskey on behalf of United States. (Liskey, Garrett) (Entered: 02/11/2016)
03/04/2016	<a href="#">52</a>	Joint MOTION for Order <i>Stipulated Second Amended Scheduling Order</i> by W.A. Foote Memorial Hospital. (Attachments: # <a href="#">1</a> Exhibit Proposed Stipulated Second Amended Scheduling Order) (Yitzchaki, Doron) (Entered: 03/04/2016)
03/08/2016	<a href="#">53</a>	AMENDED SECOND SCHEDULING ORDER: <b>Fact Discovery due by 9/20/2016, Last day for discovery expert due by 12/21/2016, Dispositive Motion Cut-off set for 1/13/2017, Findings of Fact and Conclusions of Law due by April 11, 2017, Bench Trial set for 4/18/2017 at 8:30 AM before District Judge Judith E. Levy</b> - Signed by District Judge Judith E. Levy. (Refer to image for additional dates) (FMos) (Entered: 03/08/2016)

