

**General Docket
Seventh Circuit Court of Appeals**

Court of Appeals Docket #: 16-2492 Nature of Suit: 1410 Antitrust FTC, et al v. Advocate Health Care Network, et al Appeal From: Northern District of Illinois, Eastern Division Fee Status: U.S. appellant	Docketed: 06/15/2016
Case Type Information: 1) civil 2) us 3) -	
Originating Court Information: District: 0752-1 : 1:15-cv-11473 Court Reporter: Nancy LaBella, Court Reporter Trial Judge: Jorge L. Alonso, District Court Judge Date Filed: 12/21/2015 Date Order/Judgment: 06/14/2016 Date NOA Filed: 06/15/2016	
Prior Cases: None	
Current Cases: None	

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v.

ADVOCATE HEALTH CARE NETWORK
Defendant - Appellee

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FEDERAL TRADE COMMISSION, et al.,
Plaintiffs - Appellants

v.

ADVOCATE HEALTH CARE NETWORK, et al.,
Defendants - Appellees

06/15/2016	<input type="checkbox"/> 1 77 pg, 1.39 MB	U.S. civil case docketed. U.S. Appeal. Docketing statement filed. Transcript information sheet due by 06/29/2016. Appellant's brief due on or before 07/25/2016 for Federal Trade Commission and State of Illinois. [1] [6758788] [16-2492] (VG)
06/16/2016	<input type="checkbox"/> 2 1 pg, 112.4 KB	ORDER: A review of the short record reveals that this appeal involves more than one appellant and appellee represented by different counsel. Counsel for appellants and appellees are encouraged to file a joint brief and appendix or adopt parts of a co-appellee's brief. The parties are reminded that redundant and uncoordinated briefing will be stricken. See United States v. Torres, 170 F.3d 749 (7th Cir. 1999); United States v. Ashman, 964 F.2d 596 (7th Cir. 1992). DW [6758924] [2] [6758924] [16-2492] (VG)
06/16/2016	<input type="checkbox"/> 3 2 pg, 136.61 KB	Appearance form filed by Attorney Matthew M. Hoffman for Appellant FTC. [3] [6758980] (L-Yes; E-Yes; R-No) [16-2492]--[Edited 06/16/2016 by FP to reflect that atty. Hoffman is added to the docket.] (Hoffman, Matthew)
06/17/2016	<input type="checkbox"/> 4 2 pg, 159.39 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Daniel J. Delaney for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [4] [6759321] (L-Yes; E-Yes; R-No) [16-2492]--[Edited 06/17/2016 by CR to reflect addition of counsel] (Delaney, Daniel)
06/17/2016	<input type="checkbox"/> 5 2 pg, 132.88 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney J. Robert Robertson for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [5] [6759322] (L-Yes; E-Yes; R-No) [16-2492]--[Edited 06/17/2016 by MM to reflect addition of counsel.] (Robertson, John)
06/17/2016	<input type="checkbox"/> 6 2 pg, 77.74 KB	Amended Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney J. Robert Robertson for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [6] [6759460] (L-Yes; E-Yes; R-No) [16-2492] (Robertson, John)
06/20/2016	<input type="checkbox"/> 7 2 pg, 109.41 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Linda T. Coberly for Appellee NorthShore University HealthSystem. [7] [6759650] (L-Yes; E-Yes; R-No) [16-2492] [7] [6759650] [16-2492]--[Edited 06/20/2016 by CD to reflect addition of counsel.] (Coberly, Linda)
06/20/2016	<input type="checkbox"/> 8 2 pg, 77.94 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Catherine E. Stetson for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [8] [6759753] (L-No; E-Yes; R-No) [16-2492]--[Edited 06/20/2016 by VG - to reflect addition of counsel] (Stetson, Catherine)
06/20/2016	<input type="checkbox"/> 9 2 pg, 117.62 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney David E. Dahlquist for Appellee NorthShore University HealthSystem. [9] [6759810] (L-No; E-Yes; R-No) [16-2492] (Dahlquist, David)
06/20/2016	<input type="checkbox"/> 10 141 pg, 1.08 MB	Emergency motion filed by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem to expedite appeal. [10] [6759989] [16-2492] (Delaney, Daniel)
06/20/2016	<input type="checkbox"/> 11 1 pg, 45.3 KB	Filed Seventh Circuit Transcript Information Sheet by Appellant FTC. [11] [6760264] [16-2492] (JR)
06/21/2016	<input type="checkbox"/> 12 12 pg, 106.35 KB	Filed Response by Appellants FTC and State of Illinois to Appellees' Emergency Motion for Advancement of Hearing and Expedited Disposition of Appeal. [12][6760524] [16-2492] (Hoffman, Matthew)
06/22/2016	<input type="checkbox"/> 13 2 pg, 76.55 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Leigh L. Oliver for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [13] [6760677] (L-No; E-Yes; R-No) [16-2492]--[Edited 06/22/2016 by FP to reflect that atty. Oliver is added to the docket.] (Oliver, Leigh)
06/22/2016	<input type="checkbox"/> 14 9 pg, 87.15 KB	Filed Reply by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem to Appellant Reponse to Appellees' Motion to Expedite Appeal. [14][6760828] [16-2492] (Delaney, Daniel)
06/22/2016	<input type="checkbox"/> 15 1 pg, 45.78 KB	Filed Seventh Circuit Transcript Information Sheet by Appellant FTC. [15] [6760863] [16-2492] (JR)
06/23/2016	<input type="checkbox"/> 16 2 pg, 89.91 KB	Filed Seventh Circuit Transcript Information Sheet by Appellant FTC. [16] [6761372] [16-2492] (Hoffman, Matthew)
06/24/2016	<input type="checkbox"/> 17 2 pg, 143.46 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Andrew C. Nichols for Appellee NorthShore University HealthSystem. [17] [6761744] (L-No; E-Yes; R-No) [16-2492] [Edited 06/24/2016 by CAG to reflect the addition of counsel.] (Nichols, Andrew)
06/24/2016	<input type="checkbox"/> 18 2 pg, 99.64 KB	ORDER: 1. Appellees' emergency motion for advancement of hearing and expedited disposition of appeal. 2. Appellants' reposone to appellees' emergency motion for advancement of hearing and expedition of appeal. 3. Reply in support of appellees' emergency motion for advancement of hearing and expedited disposition of appeal. [10], The motion to expedite is GRANTED to the extent that oral

- argument in this appeal will be held during the week of August 15-19 and will be set by separate court order. Briefing shall proceed as follows: Appellants' brief due on or before 07/15/2016 for Federal Trade Commission and State of Illinois. Appellees' brief due on or before 08/01/2016 for Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. Appellants' reply brief, if any, is due on or before 08/09/2016 for Appellants Federal Trade Commission and State of Illinois. Because oral argument will be held shortly after the deadline for the reply brief, the paper copies of the reply brief are due on the same day as the brief. SCR [18] [6761786] [16-2492] (CAG)
- 06/24/2016 [19](#) Notice to the District Court to transmit the record on appeal. [19] [6761793] [16-2492] (RS)
1 pg, 86.71 KB
- 06/27/2016 [20](#) Argument set for Wednesday, August 17, 2016, at 10:00 a.m. in the Main Courtroom, Room 2721. Minutes will be assigned later. [20] [6761886] [16-2492] (RS)
4 pg, 137.64 KB
- 06/27/2016 [21](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Kenneth M. Vorrasi for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [21] [6761940] (L-No; E-Yes; R-No) [16-2492] (Vorrasi, Kenneth)
2 pg, 117.79 KB
- 06/27/2016 [22](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Robert W. McCann for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [22] [6762063] (L-No; E-Yes; R-No) [16-2492]--[Edited 06/27/2016 by FP to reflect that atty. McCann is added to the docket.] (McCann, Robert)
2 pg, 118.07 KB
- 06/27/2016 [23](#) Added Attorney(s) John L. Roach IV for party(s) Appellee Advocate Health and Hospitals Corporation Appellee Advocate Health Care Network, in case 16-2492 per disclosure statement. Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Lee Roach for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [23] [6762084] (L-No; E-Yes; R-No) [16-2492]--[Edited 06/27/2016 by AD to reflect the addition of counsel.] (Roach, John)
2 pg, 117.83 KB
- 06/27/2016 [24](#) Motion filed by Appellants FTC and State of Illinois Leave to File Sealed Brief and Appendix. [24] [6762093] [16-2492] (Hoffman, Matthew)
5 pg, 70.76 KB
- 06/27/2016 [25](#) Emergency motion filed by Appellants FTC and State of Illinois to extend time to file Reply Brief., reschedule oral argument for week of August 22, 2016. [25] [6762205] [16-2492] (Hoffman, Matthew)
4 pg, 67.27 KB
- 06/28/2016 [26](#) Filed Response in Opposition by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem to Emergency Motion to Reschedule Oral Argument and Date for Filing Reply. [26][6762964] [16-2492] (Delaney, Daniel)
6 pg, 76.61 KB
- 06/28/2016 [27](#) Order issued GRANTING emergency motion for extension of reply brief deadline and rescheduling of oral argument only to the extent that oral argument in this appeal will be held on August 19 and will be set by separate court order. Briefing shall proceed as follows: [\[25\]](#) [\[25\]](#) Appellants' briefs due on or before 07/15/2016 for Federal Trade Commission and State of Illinois. Appellees' briefs due on or before 08/01/2016 for Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. Appellants' reply brief, if any, is due on or before 08/12/2016 for Appellants Federal Trade Commission and State of Illinois. Because oral argument will be held shortly after the deadline for the reply brief, the paper copies of the reply brief are due on the same day as the brief. SCR [27] [6763019] [16-2492] (ER)
2 pg, 123.2 KB
- 06/28/2016 [28](#) Argument reset for Friday, August 19, 2016 at 10:00 a.m. in the Main Courtroom, Room 2721. Minutes will be assigned later. [28] [6763045] [16-2492] (RS)
2 pg, 89.6 KB
- 06/29/2016 [29](#) ORDER re: Appellant's unopposed motion for leave to file sealed brief and appendix, filed on June 27, 2016. The motion is GRANTED. Appellants may file an unredacted version of their opening brief and appendix that will be maintained under seal and a redacted version that will be filed in the public record. [\[24\]](#) SCR [29] [6763212] [16-2492] (FP)
1 pg, 94.37 KB
- 07/01/2016 [30](#) Original record on appeal filed electronically. Contents of record : 10 vol. of pleadings. [30] [6764120] [16-2492] (ACB)
3631 pg, 135.39 MB
- 07/05/2016 [31](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Kimberly D. Rancour for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [31] [6764410] (L-No; E-Yes; R-No) [16-2492]--[Edited 07/05/2016 by AP- Added Attorney Kimberly D. Rancour] (Rancour, Kimberly)
2 pg, 76.66 KB
- 07/05/2016 [32](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Dan K. Webb for Appellee NorthShore University HealthSystem. [32] [6764512] (L-No; E-Yes; R-No) [16-2492] [Edited 07/05/2016 by CAG to reflect the addition of counsel.] (Webb, Dan)
2 pg, 117.61 KB
- 07/05/2016 [33](#) Original paper record on appeal filed. Contents of record : 1 sealed envelopes and 1 sealed CD. [33] [6764514] [16-2492] (ACB)

- 07/05/2016 [34](#) Filed electronic transcript of proceedings held on 12/22/2015, 01/06/16, 01/07/16, 01/27/16, 02/08/16, 02/11/16, 03/17/16, 04/05/16, 04/08/16, 06/07/16, 06/17/16, 04/11/16, 04/12/16, 04/13/16, 04/14/16, 04/15/16, 04/18/16, 04/20/16, 05/06/16, 05/25/16. [34] [6764522] THIS TRANSCRIPT IS FOR INTERNAL COURT USE ONLY. Remote electronic access to the transcript is ONLY available through the District Court's PACER system. [16-2492] (ACB)
- 07/06/2016 [35](#)
1 pg, 101.37 KB ORDER: This Court has received 1 envelope and 1 CD under seal from the district court. All documents filed in this Court, except those required to be sealed by statute or rule are considered public. Pursuant to 7th Circuit Operating Procedure 10(b), documents sealed in the district court will be maintained under seal in this Court for 14 days, to afford time to request the approval required by section (a) of this operating procedure. Absent a motion from a party these sealed documents will be placed in the public record on 07/21/2016. Motion shall be filed by 07/20/2016 [35] [6764829] [16-2492] (RT)
- 07/06/2016 [36](#) Original paper record on appeal filed. Contents of record : 10 vol. of pleadings. [36] [6765005] [16-2492] (ACB)
- 07/06/2016 [37](#) Filed electronic transcript of proceedings held on 03/1/16, 03/7/16, 03/17/16. [37] [6765007] THIS TRANSCRIPT IS FOR INTERNAL COURT USE ONLY. Remote electronic access to the transcript is ONLY available through the District Court's PACER system. [16-2492] (ACB)
- 07/12/2016 [38](#)
1 pg, 89.26 KB Appearance form filed by Attorney Imad Abyad for Appellant FTC. [38] [6766560] (L-No; E-Yes; R-No) [16-2492]--[Edited 07/13/2016 by CR to reflect addition of counsel] (Abyad, Imad)
- 07/15/2016 [39](#)
0 pg, 0 KB Submitted sealed appellant brief by Matthew M. Hoffman for Appellants FTC and State of Illinois. Permission to submit a sealed brief was granted 06/29/2016. [39] [6767664] [16-2492] (Hoffman, Matthew)
- 07/15/2016 [40](#)
76 pg, 910.24 KB Submitted appellant brief by Matthew M. Hoffman for Appellants FTC and State of Illinois. [40] [6767665] [16-2492] (Hoffman, Matthew)
- 07/15/2016 [41](#)
173 pg, 883.94 KB Submitted Appendix by Matthew M. Hoffman for Appellants FTC and State of Illinois. [41] [6767666] [16-2492] (Hoffman, Matthew)
- 07/15/2016 [42](#)
76 pg, 969.52 KB Appellant's REDACTED brief filed by Appellants FTC and State of Illinois. Paper copies due on 07/25/2016. Electronically Transmitted. [42] [6767690] [16-2492] (GW)
- 07/15/2016 [43](#)
173 pg, 915.6 KB Filed REDACTED Appendix by Appellants FTC and State of Illinois. [43] [6767692] Paper copies due on 07/25/2016 [16-2492] (GW)
- 07/15/2016 [44](#)
0 pg, 0 KB SEALED Appellant's brief filed by Appellants FTC and State of Illinois. Electronically Transmitted. Per order. [44] [6767744] Paper copies due on 07/25/2016 [16-2492] (GW)
- 07/15/2016 [45](#)
0 pg, 0 KB SEALED Appendix filed by Appellants FTC and State of Illinois. [45] [6767749] Paper copies due on 07/25/2016 [16-2492] (GW)
- 07/18/2016 [46](#)
2 pg, 69.19 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Sallie G. Smylie for Health Care Service Corporation. [46] [6768169] (L-No; E-Yes; R-No) [16-2492]--[Edited 07/19/2016 by FP to reflect that attys. Smylie, Lula and Witt are added to the docket.] (Smylie, Sallie)
- 07/18/2016 [47](#)
2 pg, 69.16 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Jeffery J. Lula for Health Care Service Corporation. [47] [6768170] (L-No; E-Yes; R-No) [16-2492] (Lula, Jeffery)
- 07/18/2016 [48](#)
2 pg, 69.11 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Helen E. Witt for Health Care Service Corporation. [48] [6768171] (L-Yes; E-Yes; R-No) [16-2492] (Witt, Helen)
- 07/18/2016 [49](#)
4 pg, 39.4 KB Filed Non-Party Motion for Extension of Time by Health Care Service Corporation. [6768172] [16-2492] (Witt, Helen)
- 07/19/2016 [50](#)
2 pg, 91 KB Argument reset for Friday, August 19, 2016 at 10:00 a.m. in the Main Courtroom, Room 2721. Each side limited to 25 minutes. [50] [6768187] [16-2492]--[Edited 07/19/2016 by SK] (SK)
- 07/19/2016 [51](#)
16 pg, 140.88 KB Motion filed by Appellants FTC and State of Illinois to maintain certain documents under seal. [51] [6768457] [16-2492] (Hoffman, Matthew)
- 07/19/2016 [52](#)
16 pg, 161.4 KB Filed Non-Party Motion to Maintain Specified Documents Under Seal by Loyola University Health System. [6768476] [16-2492] (Brenner, Laura)
- 07/20/2016 [53](#)
23 pg, 290.94 KB Filed Non-Party Motion To Maintain Specified Documents and Testimony Under Seal by Northwest Community Healthcare. [6768829] [16-2492]--[Edited 07/20/2016 by VG - Exhibits A-C attached] (Andalman, Robert)

- 07/20/2016 [54](#) Filed electronic transcript of proceedings held on 4/18/16. [54] [6768837] THIS TRANSCRIPT IS FOR INTERNAL COURT USE ONLY. Remote electronic access to the transcript is ONLY available through the District Court's PACER system. [16-2492] (SK)
- 07/20/2016 [55](#)
36 pg, 287.24 KB Motion filed by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem to Maintain Documents Under Seal. [55] [6768916] [16-2492] (Robertson, John)
- 07/22/2016 [56](#)
2 pg, 100.43 KB ORDER re: 1. Motion for extension of time to file. 2. Appellants' unopposed motion pursuant to operating procedure 10 to maintain certain documents under seal. 3. Loyola University Health Systems's motion to maintain specified documents under seal. 4. Non-party Northwest Community Healthcare's motion to maintain specified documents and testimony under seal. 5. Appellees' motion to maintain documents under seal. The appellants' motion is GRANTED. Appellees' request to seal is also GRANTED. The clerk of this court shall maintain the following documents under seal: 18 (paper document), 154, 154-1, 154-2, 154-3, 154-9, 154-10, 154-11, 154-12, 198, 218, 228, 302, 302-1, 302-2, 302-3, 302-5, 302-7, 302-8, 306, 312, 341, 429-2, 429-3, 429-4, 429-5, 429-6, 429-7, 429-8, 445, 446, 447, 448 (all parts), 449 (all parts), 450 (all parts), 451, 452, 453, 454, 455, 458, 459, 460 (all parts), 461, 473, and 484. The clerk of this court shall return the following documents to the district court to be maintained under seal in that court: 252, 328 (all parts), 351, 398, 412, 429, 429-1, 436, and 438. (Document no. 411 was not transmitted to this court.) Appellees ask to return an additional seven documents not already addressed in this order (documents no. 174, 175, 182, 185, 196, 390, and 400), but it is not clear whether appellants agree that these documents are not relevant to the issues on appeal. Appellants shall file a response to this request by July 28, 2016, indicating whether they agree that these seven documents can be returned to the district court. There are seven remaining sealed electronic files that do not appear to be addressed in the parties' or non-parties' motions. Non-party Health Care Service Corporation requests additional time to file a motion to seal if the court does not seal documents it considers confidential. That motion is GRANTED to the extent that any party or non-party may file a motion by July 28, 2016, to maintain any of the remaining documents under seal: 154-4 (PX4032), 154-5 (PX4058), 154-6 (second part of PX4058), 154-7 (PX4061), 154-8 (PX4175), 302-4 (PX2063), and 302-6 (PX4032). The clerk of this court shall file the redacted version of document no. 312, tendered as an exhibit to appellants' motion (docket # 51), in the public record. [49] [51] 6768476-2 [53] [55] SCR [56] [6769563] [16-2492] (CR)
- 07/22/2016 [57](#)
26 pg, 88.74 KB Submitted brief by Brett DeLange for amicus Connecticut, Idaho, Iowa, Maine, Massachusetts, Minnesota, Mississippi, Montana, Oregon, Pennsylvania, and Washington. Federal or state filer (consent unnecessary). [57] [6769607] [16-2492] (DeLange, Brett)
- 07/22/2016 [58](#)
17 pg, 64.28 KB Supplemental record on appeal filed electronically, per order. Contents of record : 1 vol. of exhibits (Doc. 312). [58] [6769641] [16-2492] (NR)
- 07/22/2016 [59](#)
25 pg, 294.76 KB Submitted brief by Charles I. Artz, Esq. Artz McCarrie Health Law for amicus Association of Independent Doctors. Consent from all parties contained within brief. [59] [6769671] [16-2492] (Artz, Charles)
- 07/22/2016 [60](#)
3 pg, 75.94 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Paul E. Slater for Fiona M. Scott Morton, et al.. [60] [6769678] (L-Yes; E-Yes; R-No) [16-2492] (Slater, Paul)
- 07/22/2016 [61](#)
32 pg, 189.22 KB Submitted brief by Paul E. Slater for amicus Fiona M. Scott Morton, et al.. Consent from all parties contained within brief. [61] [6769686] [16-2492] (Slater, Paul)
- 07/22/2016 [62](#)
26 pg, 90.38 KB Amicus brief filed by Amici Curiae State of Washington, State of Pennsylvania, State of Oregon, State of Montana, State of Mississippi, State of Minnesota, State of Massachusetts, State of Maine, State of Iowa, State of Idaho and State of Connecticut government filing, no consent necessary. Paper copies due on 07/29/2016 Electronically Transmitted. [62] [6769750] [16-2492] (SP)
- 07/22/2016 [63](#)
26 pg, 1.01 MB Submitted brief by Charles I. Artz, Esquire, Artz McCarrie Health Law for amicus Association of Independent Doctors. Consent from all parties contained within brief. [63] [6769751] [16-2492] (Artz, Charles)
- 07/22/2016 [64](#)
32 pg, 189.17 KB Submitted brief by Paul E. Slater for amicus Fiona M. Scott Morton. Consent from all parties contained within brief. [64] [6769752] [16-2492] (Slater, Paul)
- 07/22/2016 [65](#)
7 pg, 68.75 KB Motion filed by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem for leave to file brief and supplemental appendix under seal. [65] [6769766] [16-2492] (Roach, John)
- 07/22/2016 [66](#)
32 pg, 187.92 KB Amicus brief filed by Amicus Curiae F.M. SCHERER, AETNA PROFESSOR EMERITUS by consent. (See entry #67, Party Limit, for full list of the other 32 Economists Filing the Amicus Brief) Paper copies due on 07/29/2016 Electronically Transmitted. [66] [6769774] [16-2492]--[Edited 07/22/2016 by JAD] (SK)

- 07/22/2016 [67](#) THIS CAUSE CONSISTS OF MORE THAN 5 PARTIES FOR EITHER SIDE. The following are those parties to this cause as reflected on the District Court docket, yet are not reflected on the Appellate docket/caption for administrative purposes: AMICUS (ECONOMISTS) F.M. Scherer, Aetna Professor emeritus, John F. Kennedy School of Government, Harvard University; Alan Sorensen, Professor of Economics, University of Wisconsin, Madison; Susan Athey, The Economics of Technology Professor, Stanford Graduate School of Business; Sherry Glied, Dean and Professor of Public Service, Robert F. Wagner Graduate School of Public Service, New York University; Richard Scheffler, Professor of Health Economics and Public Policy, UC Berkeley; Paul B. Ginsburg, Leonard D. Schaeffer Chair in Health Policy Studies and Senior Fellow in Economic Studies, The Brookings Institution and Professor of Health Policy, University of Southern California; Randall P. Ellis, Ph.D., Professor, Department of Economics, Boston University; Jonathan Kolstad, Assistant Professor, Haas School of Business, UC Berkeley; Roger Feldman, Blue Cross Professor of Health Insurance and Professor of Economics, University of Minnesota; Vivian Ho, James A. Baker III Institute Chair in Health Economics, Rice University; Joseph Newhouse, John D. MacArthur Professor of Health Policy and Management, Harvard University; Thomas G. McGuire, Professor of Health Economics, Harvard Medical School; Kate Ho, Associate Professor of Economics, Columbia University; Robin S. Lee, Assistant Professor of Economics, Harvard University; Robert Porter, William R. Kenan Jr. Professor of Economics, Northwestern University; Mark A. Satterthwaite, A.C. Buehler Professor in Hospital and Health Services Management, Professor of Strategy, and Professor of Managerial Economics, Northwestern University; David Cutler, Otto Eckstein Professor of Applied Economics, Harvard University; Amanda Starc, Associate Professor of Strategy, Kellogg School of Management, Northwestern University; Kenneth Elzinga, Robert C Taylor Professor of Economics, University of Virginia; Robert Town, Gilbert and Shelley Harrison Professor of Health Care Management, The Wharton School, University of Pennsylvania; Benjamin Handel, Assistant Professor of Economics, University of California at Berkeley; Steven T. Berry, David Swenson Professor of Economics, Yale University; Zack Cooper, Assistant Professor of Public Health and of Economics, Yale University; Matthew Grennan, Assistant Professor of Healthcare Management, The Wharton School, University of Pennsylvania; Ashley Swanson, Assistant Professor of Health Care Management, The Wharton School, University of Pennsylvania; William M. Sage, MD, JD, James R. Dougherty Chair for Faculty Excellence, School of Law, Professor of Surgery and Perioperative Care, Dell Medical School, The University of Texas at Austin; Fiona M. Scott Morton, Theodore Nierenberg Professor of Economics, Yale School of Management; Joshua Gottlieb, Assistant Professor of Economics, University of British Columbia; Keith Marzilli Ericson, Assistant Professor of Markets, Public Policy, and Law, Boston University Questrom School of Business; Laurence C. Baker, Professor and Chair of Health Research and Policy, Stanford University School of Medicine; Shane Greenstein, Professor, Harvard Business School; Thomas C. Buchmueller, Waldo O. Hildebrand Professor of Risk Management and Insurance, Stephen M. Ross School of Business, University of Michigan; Carl Shapiro, Transamerica Professor of Business Strategy, Haas School of Business, University of California, Berkeley. [67] [6769779] [16-2492] (JAD)
- 07/25/2016 [68](#) Amicus brief filed by Amicus Curiae Association of Independent Doctors by consent. Paper copies due on 26 pg, 1.03 MB 08/01/2016 Electronically Transmitted. [68] [6769851] [16-2492] (RS)
- 07/25/2016 [69](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Mr. Charles I. Artz for Amicus 1 pg, 743.38 KB Curiae Association of Independent Doctors. [69] [6769852] [16-2492] (RS)
- 07/25/2016 [70](#) Filed Response by Appellants FTC and State of Illinois to Court Order of 7/22/2016. [70][6770175] 3 pg, 63.45 KB [16-2492] (Hoffman, Matthew)
- 07/27/2016 [71](#) Joint motion filed by Appellants FTC, State of Illinois and Appellees Advocate Health Care Network, 5 pg, 65.51 KB Advocate Health and Hospitals Corporation and NorthShore University HealthSystem to clarify order maintaining documents under seal. [71] [6770835] [16-2492] (Hoffman, Matthew)
- 07/27/2016 [72](#) ORDER re: 1. Appellees' motion for leave to file their brief and supplemental appendix under seal. 2. Joint 1 pg, 96.4 KB motion to clarify order maintaining documents under seal. Appellees' motion to file their brief and appendix under seal is GRANTED. Appellees may file an unredacted version of their brief and appendix that will be maintained under seal and a redacted version that will be filed in the public record. The parties' motion to clarify is GRANTED to the extent that the court clarifies that documents 218, 228, 306, 312, 341, 447, 451, 452, 453, 454, 455, and 461 were not separated into subparts when they were transmitted to this court. As a result, the entire document will be maintained under seal for each of these 12 docket entries. [71] [65] SCR [72] [6771042] [16-2492] (CD)
- 07/28/2016 [73](#) Motion filed by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and 7 pg, 45.7 KB NorthShore University HealthSystem to Maintain Documents Under Seal. [73] [6771373] [16-2492] (Robertson, John)
- 07/29/2016 [74](#) ORDER re: 1. Appellants' statement of agreement to appellees' request to return documents to the district 2 pg, 135.34 KB court. 2. Appellees' supplemental motion to maintain documents under seal. In light of appellants' statement of agreement that documents no. 174, 175, 182, 185, 196, 390, and 400 are not relevant to the issues on appeal, these documents will be returned to the district court to remain under seal in that court.

Further, appellees' motion to keep document 302-4 under seal is GRANTED. Further, in order to manage the sealed documents in this case, the clerk of this court shall return the CD containing sealed documents to the district court. The following sealed documents shall remain under seal in the district court and should not be retransmitted to this court: 174, 175, 182, 185, 196, 252, 328 (all parts), 351, 390 (all parts), 398, 400 (all parts), 412, 429, 429-1, 436, and 438. No party or non-party has asked that documents 154-4, 154-5, 154-6, 154-7, 154-8, or 302-6 remain sealed. The clerk of the district court shall retransmit these six documents to this court electronically or on a CD and the clerk of this court shall place the documents in the public record. The clerk of the district court shall retransmit the following documents that will remain under seal in this court electronically or on a separate CD: 154, 154-1, 154-2, 154-3, 154-9, 154-10, 154-11, 154-12, 198, 218, 228, 302, 302-1, 302-2, 302-3, 302-4, 302-5, 302-7, 302-8, 306, 312, 341, 429-2, 429-3, 429-4, 429-5, 429-6, 429-7, 429-8, 445, 446, 447, 448 (all parts), 449 (all parts), 450 (all parts), 451, 452, 453, 454, 455, 458, 459, 460 (all parts), 461, 473, and 484. The clerk of this court shall maintain the documents under seal in this court. Finally, the clerk of this court shall maintain paper document no. 18 under seal in this court. SCR [73] [74] [6771752] [16-2492] (VG)

- 07/29/2016 [75](#)
2 pg, 89.89 KB Original paper record returned to the District Court, per order. Partial record returned consisting of 1 sealed CD. Record to be returned later: 1 sealed envelope. [75] [6771770] [16-2492] (NR)
- 08/01/2016 [76](#)
2 pg, 117.99 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Jonathan Todt for Appellees Advocate Health Care Network and Advocate Health and Hospitals Corporation. [76] [6772163] (L-No; E-Yes; R-No) [16-2492] (Todt, Jonathan)
- 08/01/2016 [77](#)
0 pg, 0 KB Submitted sealed appellee brief by Daniel J. Delaney for Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. Permission to submit a sealed brief was granted 07/27/2016. [77] [6772399] [16-2492] (Delaney, Daniel)
- 08/01/2016 [78](#)
111 pg, 2.31 MB Submitted appellee brief by Daniel J. Delaney for Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. [78] [6772400] [16-2492] (Delaney, Daniel)
- 08/01/2016 [79](#)
0 pg, 0 KB SEALED Appellee's brief filed by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. Electronically Transmitted. [79] [6772459] Paper copies due on 08/09/2016 [16-2492] (SK)
- 08/01/2016 [80](#)
0 pg, 0 KB SEALED Appendix filed by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. [80] [6772467] Paper copies due on 08/09/2016 [16-2492] (SK)
- 08/01/2016 [81](#)
79 pg, 1.28 MB Redacted Appellee's brief filed by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. Electronically Transmitted. Paper copies due on 08/09/2016 [81] [6772470] [16-2492] (SK)
- 08/01/2016 [82](#)
32 pg, 1.03 MB Filed Redacted Appendix by Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. [82] [6772472] Paper copies due on 08/09/2016 [16-2492] (SK)
- 08/04/2016 83 Supplemental record on appeal filed electronically. Contents of record : 6 sealed documents. [83] [6773108] [16-2492] (MT)
- 08/04/2016 84 Supplemental record on appeal filed electronically. Contents of record : 21 sealed documents. [84] [6773122] [16-2492] (MT)
- 08/04/2016 85 Supplemental record on appeal filed electronically. Contents of record : 20 sealed documents. [85] [6773141] [16-2492] (MT)
- 08/04/2016 86 Supplemental record on appeal filed electronically. Contents of record : 20 sealed documents. [86] [6773172] [16-2492] (MT)
- 08/04/2016 87 Supplemental record on appeal filed electronically. Contents of record : 20 sealed documents. [87] [6773199] [16-2492] (MT)
- 08/04/2016 88 Supplemental record on appeal filed electronically. Contents of record : 20 sealed documents [88] [6773230] [16-2492] (MT)
- 08/04/2016 89 Supplemental record on appeal filed electronically. Contents of record : 20 sealed documents. [89] [6773252] [16-2492] (MT)
- 08/04/2016 90 Supplemental record on appeal filed electronically. Contents of record : 20 sealed documents. [90] [6773258] [16-2492] (MT)
- 08/04/2016 91 Supplemental record on appeal filed electronically. Contents of record : 8 sealed documents. [91] [6773265] [16-2492] (MT)

08/08/2016	<input type="checkbox"/> 92 2 pg, 541.14 KB	Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Joshua H. Soven for NON-PARTY American Hospital Association. [92] [6773942] (L-Yes; E-Yes; R-No) [16-2492]--[Edited 08/08/2016 by AP- to reflect non-party filing] (Soven, Joshua)
08/08/2016	<input type="checkbox"/> 93 26 pg, 659.5 KB	Submitted brief by Joshua H. Soven for amicus American Hospital Association. Consent from all parties contained within brief. [93] [6773950] [16-2492] (Soven, Joshua)
08/08/2016	<input type="checkbox"/> 94 26 pg, 684.13 KB	Amicus brief filed by Amicus Curiae American Hospital Association by consent. Paper copies due on 08/16/2016 Electronically Transmitted. [94] [6774032] [16-2492] (ACB)
08/09/2016	<input type="checkbox"/> 95 0 pg, 0 KB	Motion by Appellants FTC and State of Illinois to seal Reply Brief and Supplemental Appendix. [95] [6774198] [16-2492] (Abyad, Imad)
08/10/2016	<input type="checkbox"/> 96 1 pg, 119.54 KB	ORDER re: Appellants' unopposed motion for leave to file sealed reply brief and appendix. The motion is GRANTED. Appellants may file an unredacted version of their reply brief and appendix that will be maintained under seal and a redacted version that will be filed in the public record. SCR 95 [96] [6774277] [16-2492] (VG)
08/12/2016	<input type="checkbox"/> 97 0 pg, 0 KB	Submitted sealed appellant reply brief by Imad Abyad for Appellants FTC and State of Illinois. Permission to submit a sealed brief was granted 08/10/2016. [97] [6774997] [16-2492] (Abyad, Imad)
08/12/2016	<input type="checkbox"/> 98 62 pg, 517.94 KB	Submitted Redacted appellant reply brief by Imad Abyad for Appellants FTC and State of Illinois. [98] [6775013] [16-2492] (Abyad, Imad)
08/12/2016	<input type="checkbox"/> 99 0 pg, 0 KB	SEALED Appellant's reply brief filed by Appellants FTC and State of Illinois. Electronically Transmitted. [99] [6775074] Paper copies due on 08/19/2016 [16-2492] (SP)
08/12/2016	<input type="checkbox"/> 100 62 pg, 551.42 KB	Redacted Appellant's reply brief filed by Appellants FTC and State of Illinois. Electronically Transmitted. Paper copies due on 08/19/2016 [100] [6775077] [16-2492] (SP)
08/12/2016	<input type="checkbox"/> 101 2 pg, 70.58 KB	Received argument confirmation from Linda T. Coberly for Appellees Advocate Health Care Network, Advocate Health and Hospitals Corporation and NorthShore University HealthSystem. [101] [6775137] [16-2492] (Coberly, Linda)
08/14/2016	<input type="checkbox"/> 102 2 pg, 74.51 KB	Received argument confirmation from Matthew M. Hoffman for Appellants FTC and State of Illinois. [102] [6775172] [16-2492] (Hoffman, Matthew)
08/18/2016	<input type="checkbox"/> 103 2 pg, 88.09 KB	ENTRY REMOVED IN ERROR Notice to the District Court to transmit the supplemental record consisting of documents 513, 514, 515, 516, 517, 518 and 519 – SEALED TRANSCRIPTS OF PROCEEDINGS held on 4/11/16, 4/12/16, 4/14/16, 4/15/16, 4/18/16, 4/20/16 and 5/6/16. [103] [6776226] [16-2492] (SK)
08/19/2016	<input type="checkbox"/> 104	Case heard and taken under advisement by panel: Diane P. Wood, Chief Judge; William J. Bauer, Circuit Judge and David F. Hamilton, Circuit Judge. [104] [6776663] [16-2492] (SK)
08/19/2016	<input type="checkbox"/> 105	Case argued by Mr. Matthew Michael Hoffman for Appellant FTC, Linda T. Coberly for Appellees NorthShore University HealthSystem, Advocate Health and Hospitals Corporation and Advocate Health Care Network. [105] [6776666] [16-2492]--[Edited 08/19/2016 by SK] (SK)
08/22/2016	<input type="checkbox"/> 106 3 pg, 132.52 KB	Filed Response by Appellee NorthShore University HealthSystem Attorney Linda T. Coberly to a point raised by Appellants only in their Reply Brief and during Rebuttal Argument, via Post-Argument letter. [106][6776997] [16-2492] (Coberly, Linda)
08/24/2016	<input type="checkbox"/> 107 3 pg, 160.04 KB	Filed Response by Appellants FTC and State of Illinois to appellee letter of Aug 22, 2016. [107][6777705] [16-2492] (Hoffman, Matthew)

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