

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 **Andrew Robinson**
U.S. Department of Justice
Antitrust Division
Liberty Square Building
450 Fifth Street, NW
Suite 4100
Washington, DC 20530
202-598-2494
Email:
Andrew.Robinson2@usdoj.gov
ATTORNEY TO BE NOTICED

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

Jill Maguire
U.S. Department of Justice
Antitrust Division
Liberty Square Building
450 Fifth Street, NW
Washington, DC 20530

Email: jill.maguire@usdoj.gov
ATTORNEY TO BE NOTICED

Katrina Rouse
United States Department of
Justice
Antitrust Division
450 Golden Gate Ave.
San Francisco, CA 94102
415-934-5346
Fax: 415-934-5399
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

Katrina Rouse
(See above for address)
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
Allegiance Health

represented by **Doron Yitzchaki**
Dickinson Wright
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 |
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| 06/25/2015 | 1 | 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. Plaintiff requests summons issued. No Fee Required - US Government. County of 1st Plaintiff: USA - County Where Action Arose: Jackson - County of 1st Defendant: Hillsdale. [Previously dismissed case: No] [Possible companion case(s): None] (Rouse, Katrina) (Entered: 06/25/2015) |
| 06/25/2015 | 2 | STIPULATION by Michigan, State of, United States (Attachments: # 1 Exhibit A - Proposed Final Judgment) (Rouse, Katrina) (Entered: 06/25/2015) |
| 06/25/2015 | 3 | STATEMENT of Competitive Impact by United States (Rouse, Katrina) (Entered: 06/25/2015) |
| 06/25/2015 | 4 | <i>Explanation of Consent Decree Procedures</i> STATEMENT of by United States (Rouse, Katrina) (Entered: 06/25/2015) |
| 06/26/2015 | 5 | 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 |

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| | | 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 http://www.mied.uscourts.gov (DAll) (Entered: 06/26/2015) |
| 06/26/2015 | 6 | 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 | 7 | NOTICE of Appearance by Stephen Y. Wu on behalf of ProMedica Health System, Inc.. (Wu, Stephen) (Entered: 06/26/2015) |
| 06/26/2015 | 8 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by ProMedica Health System, Inc. (Wu, Stephen) (Entered: 06/26/2015) |
| 06/29/2015 | 9 | NOTICE of Appearance by Dee J. Pascoe on behalf of Michigan, State of. (Pascoe, Dee) (Entered: 06/29/2015) |
| 07/01/2015 | 10 | NOTICE by ProMedica Health System, Inc. re 2 Stipulation <i>15 U.S.C. § 16(g) Certification</i> (Wu, Stephen) (Entered: 07/01/2015) |
| 07/01/2015 | 11 | STIPULATION AND ORDER - Signed by District Judge Judith E. Levy. (FMos) (Entered: 07/01/2015) |
| 07/01/2015 | 12 | ATTORNEY APPEARANCE: Larry R. Jensen, Jr appearing on behalf of Hillsdale Community Health Center (Jensen, Larry) (Entered: 07/01/2015) |
| 07/01/2015 | 13 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Hillsdale Community Health Center (Jensen, Larry) (Entered: 07/01/2015) |
| 07/01/2015 | 14 | 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 | 15 | 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 | 16 | 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 | 17 | |

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| | | 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 | 18 | NOTICE of Appearance by Mark A. Gabrielse on behalf of Michigan, State of. (Gabrielse, Mark) (Entered: 07/06/2015) |
| 07/09/2015 | 19 | NOTICE of Appearance by Daniel Gerard Powers on behalf of ProMedica Health System, Inc.. (Powers, Daniel) (Entered: 07/09/2015) |
| 07/15/2015 | 20 | NOTICE of Appearance by James Michael Burns on behalf of W.A. Foote Memorial Hospital. (Burns, James) (Entered: 07/15/2015) |
| 07/15/2015 | 21 | NOTICE of Appearance by Doron Yitzchaki on behalf of W.A. Foote Memorial Hospital. (Yitzchaki, Doron) (Entered: 07/15/2015) |
| 07/15/2015 | 22 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by W.A. Foote Memorial Hospital (Yitzchaki, Doron) (Entered: 07/15/2015) |
| 07/17/2015 | 23 | ORDER Extending Time to Respond to 1 Complaint and Granting Related Relief - (Response due by 8/10/2015) - Signed by District Judge Judith E. Levy. (FMos) (Entered: 07/17/2015) |
| 08/10/2015 | 24 | ANSWER to Complaint with Affirmative Defenses by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 08/10/2015) |
| 09/08/2015 | 25 | Joint MOTION for Entry of Stipulated Discovery Scheduling Order by <i>W.A. Foote Memorial Hospital</i> and by All Plaintiffs. (Rouse, Katrina) (Entered: 09/08/2015) |
| 09/09/2015 | 26 | NOTICE TO APPEAR BY TELEPHONE: Telephonic Scheduling Conference set for 10/2/2015 AT 10:30 AM before District Judge Judith E. Levy - The parties are instructed to call in jointly (FMos) (Entered: 09/09/2015) |
| 09/17/2015 | 27 | Joint MOTION TO EXTEND Time to File Discovery Plan and Rule 26(f) Report by <i>W.A. Foote Memorial Hospital</i> and by All Plaintiffs. (Rouse, Katrina) (Entered: 09/17/2015) |
| 09/18/2015 | | TEXT-ONLY ORDER Granting 27 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) |
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| 09/22/2015 | 28 | 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 | 29 | MOTION for Entry of the Proposed Final Judgment by United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Proposed Final Judgment, # 3 Exhibit B - Certificate of Compliance with the APPA) (Rouse, Katrina) (Entered: 09/24/2015) |
| 09/25/2015 | 30 | NOTICE TO APPEAR BY TELEPHONE: Telephonic Status Conference set for 9/25/2015 at 11:00 AM before District Judge Judith E. Levy - 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 29 . 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: Telephonic Scheduling Conference reset for 10/19/2015 at 10:30 AM before District Judge Judith E. Levy - The parties will call in jointly (FMos) (Entered: 10/01/2015) |
| 10/09/2015 | 31 | SUPPLEMENTAL BRIEF re 29 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 | 32 | REPLY to Response re 29 MOTION for Entry of the Proposed Final Judgment filed by ProMedica Health System, Inc.. (Wu, Stephen) (Entered: 10/16/2015) |
| 10/16/2015 | 33 | SUPPLEMENTAL BRIEF re 31 Supplemental Brief, <i>Brief in Opposition to Allegiance Health's Memorandum</i> filed by |

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| | | Community Health Center of Branch County, Hillsdale Community Health Center. (Attachments: # 1 Exhibit 1) (Jensen, Larry) (Entered: 10/16/2015) |
| 10/16/2015 | 34 | REPLY to Response re 29 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 | 35 | SCHEDULING ORDER: 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 - Signed by District Judge Judith E. Levy. (Refer to image for additional dates) (FMos) (Entered: 10/20/2015) |
| 10/21/2015 | 36 | ORDER Granting Plaintiff's 29 Motion for Entry of Proposed Final Judgment. Signed by District Judge Judith E. Levy. (FMos) (Entered: 10/21/2015) |
| 10/21/2015 | 37 | 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 | 38 | NOTICE by W.A. Foote Memorial Hospital of <i>Service of Subpoena Duces Tecum to Hillsdale Community Health Center</i> (Attachments: # 1 Exhibit A) (Yitzchaki, Doron) (Entered: 10/23/2015) |
| 10/23/2015 | 39 | MOTION for Protective Order by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Proposed Protective Order, # 3 Exhibit B - Stipulated Protective Order in United States v. Blue Cross Blue Shield of Mich.) (Rouse, Katrina) (Entered: 10/23/2015) |
| 10/27/2015 | 40 | Joint MOTION for Entry of Stipulated Scheduling and Case-Management Orders by <i>W.A. Foote Memorial Hospital and</i> by All Plaintiffs. (Rouse, Katrina) (Entered: 10/27/2015) |
| 10/28/2015 | 41 | STIPULATED AMENDED SCHEDULING ORDER - Signed by District Judge Judith E. Levy. (Refer to image for additional dates) (FMos) (Entered: 10/28/2015) |

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| 10/28/2015 | 42 | Notice of Determination of Motion Without Oral Argument re 39 MOTION for Protective Order (FMos) (Entered: 10/28/2015) |
| 11/06/2015 | 43 | RESPONSE to 39 MOTION for Protective Order filed by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D) (Burns, James) (Entered: 11/06/2015) |
| 11/13/2015 | 44 | MOTION to Seal <i>Confidential Information</i> by Michigan, State of, United States. (Rouse, Katrina) (Entered: 11/13/2015) |
| 11/13/2015 | 45 | REPLY to Response re 39 MOTION for Protective Order filed by Michigan, State of, United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 4 - order, # 3 Exhibit 5 - order) (Rouse, Katrina) (Entered: 11/13/2015) |
| 11/13/2015 | 46 | SEALED REPLY to Response re 39 Motion for Protective Order, by Michigan, State of, United States. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - sealed, # 3 Exhibit 2 - sealed, # 4 Exhibit 3 - sealed) (Rouse, Katrina) (Entered: 11/13/2015) |
| 11/16/2015 | 47 | ORDER Granting Plaintiffs' 44 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 | 48 | ORDER Granting Plaintiffs' 39 Motion for Protective Order. Signed by District Judge Judith E. Levy. (FMos) (Entered: 12/16/2015) |
| 12/16/2015 | 49 | 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 | 50 | 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 |

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| | | 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 | 51 | NOTICE of Appearance by Garrett Liskey on behalf of United States. (Liskey, Garrett) (Entered: 02/11/2016) |
| 03/04/2016 | 52 | Joint MOTION for Order <i>Stipulated Second Amended Scheduling Order</i> by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit Proposed Stipulated Second Amended Scheduling Order) (Yitzchaki, Doron) (Entered: 03/04/2016) |
| 03/08/2016 | 53 | AMENDED SECOND SCHEDULING ORDER: 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 - Signed by District Judge Judith E. Levy. (Refer to image for additional dates) (FMos) (Entered: 03/08/2016) |
| 04/08/2016 | 54 | Joint MOTION for Order <i>Stipulated Third Amended Scheduling Order</i> by All Plaintiffs. (Attachments: # 1 Exhibit Proposed Stipulated Third Amended Scheduling Order) (Liskey, Garrett) (Entered: 04/08/2016) |
| 04/11/2016 | 55 | STIPULATED THIRD Amended Scheduling Order. Signed by District Judge Judith E. Levy. (FMos) (Entered: 04/11/2016) |
| 05/05/2016 | 56 | ADDENDUM to Stipulated Scheduling Order. Signed by District Judge Judith E. Levy. (FMos) (Entered: 05/05/2016) |
| 06/13/2016 | 57 | Joint MOTION For Order Referring Case to Mediation and Appointing United States Magistrate as Mediator by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 06/13/2016) |
| 06/13/2016 | 58 | ORDER REFERRING Case to Mediation and Appointing Magistrate Judge Grand as Mediator : Settlement Conference. Signed by District Judge Judith E. Levy. (TMcg) (Entered: 06/13/2016) |
| 06/27/2016 | 59 | |

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| | | NOTICE TO APPEAR: Settlement Conference set for 7/28/2016 01:00 PM before Magistrate Judge David R. Grand (EBut) (Entered: 06/27/2016) |
| 07/28/2016 | | Minute Entry for proceedings before Magistrate Judge David R. Grand: Settlement Conference held on 7/28/2016. Disposition: No settlement reached (EBut) (Entered: 07/28/2016) |
| 09/21/2016 | 60 | Joint MOTION re 53 Scheduling Order, <i>For Entry of Stipulated Addendum to the Stipulated Second Amended Scheduling Order</i> by United States. (Liskey, Garrett) (Entered: 09/21/2016) |
| 09/26/2016 | 61 | STIPULATED ADDENDUM to the Stipulated Second Amended Scheduling Order - Signed by District Judge Judith E. Levy. (FMos) (Entered: 09/26/2016) |
| 12/30/2016 | 62 | MOTION TO EXTEND Deadline for Dispositive Motions by All Plaintiffs. (Rouse, Katrina) (Entered: 12/30/2016) |
| 12/30/2016 | 63 | MOTION to Seal <i>Motion For Summary Judgment And Exhibits Containing Confidential Information Subject To Protective Order</i> by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 12/30/2016) |
| 12/30/2016 | 64 | MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law</i> by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N) (Burns, James) (Entered: 12/30/2016) |
| 01/03/2017 | 65 | ORDER Granting Plaintiff's 62 Motion to Extend Deadline for Dispositive Motions. Signed by District Judge Judith E. Levy. (FMos) (Entered: 01/03/2017) |
| 01/04/2017 | 66 | OPINION AND ORDER Denying Defendant's 63 Motion to File Under Seal Without Prejudice and Ordering the Parties to Show Cause by January 27, 2017 Why Previously Sealed Documents 47 Should not be Sealed. Signed by District Judge Judith E. Levy. (FMos) (Entered: 01/04/2017) |
| 01/12/2017 | 67 | NOTICE by W.A. Foote Memorial Hospital <i>Of Filing Modified Unredacted Motion For Partial Summary Judgment And Exhibits</i> (Burns, James) (Entered: 01/12/2017) |
| 01/12/2017 | 68 | |

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| | | MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law Modified Unredacted Version</i> by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N) (Burns, James) (Entered: 01/12/2017) |
| 01/17/2017 | 69 | MOTION for Leave to File <i>Combined Cross-Motion for Summary Judgment and Response to Allegiance Health's Motion for Partial Summary Judgment</i> by All Plaintiffs. (Liskey, Garrett) (Entered: 01/17/2017) |
| 01/18/2017 | 70 | NOTICE OF HEARING on 64 MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law</i> , 68 MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law Modified Unredacted Version</i> . Motion Hearing set for 4/24/2017 at 1:00 PM before District Judge Judith E. Levy in ANN ARBOR, MI (FMos) (Entered: 01/18/2017) |
| 01/18/2017 | 71 | ORDER Granting Plaintiff's 69 Expedited Motion for Leave to File Combined Cross-Motion for Summary Judgment and Response t Allegiance Health's Motion for Partial Summary Judgment. Signed by District Judge Judith E. Levy. (FMos) (Entered: 01/18/2017) |
| 01/19/2017 | 72 | MOTION for Leave to File <i>Under Seal (consent motion)</i> by All Plaintiffs. (Liskey, Garrett) (Entered: 01/19/2017) |
| 01/19/2017 | 73 | MOTION for Summary Judgment (<i>Cross-Motion</i>) and Response to Allegiance Health's Motion for Partial Summary Judgment by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A (redacted), # 3 Exhibit C-1, # 4 Exhibit C-2, # 5 Exhibit D (redacted), # 6 Exhibit E, # 7 Exhibit F-1, # 8 Exhibit F-2, # 9 Exhibit F-3, # 10 Exhibit G-1, # 11 Exhibit G-2, # 12 Exhibit H, # 13 Exhibit I, # 14 Exhibit J, # 15 Exhibit K (redacted), # 16 Exhibit M, # 17 Exhibit N (redacted)) (Liskey, Garrett) (Entered: 01/19/2017) |
| 01/19/2017 | 74 | SEALED MOTION for Summary Judgment (<i>Cross-Motion</i>) and Response to Allegiance Health's Motion for Partial Summary Judgment by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C-3, # 5 Exhibit D, # 6 Exhibit K, # 7 Exhibit L, # 8 Exhibit N, # 9 Exhibit O) (Liskey, Garrett) (Entered: 01/19/2017) |
| 01/19/2017 | 75 | |

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| | | MOTION for Leave to File <i>Combined Response to Plaintiffs' Cross-Motion for Summary Judgment and Reply to Plaintiffs' Response to Allegiance Health's Motion for Partial Summary Judgment (Consent, Expedited Motion)</i> by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 01/19/2017) |
| 01/23/2017 | 76 | MEMORANDUM OPINION and ORDER Plaintiffs' Consent re 72 Motion to File Under Seal Without Prejudice and Ordering Plaintiffs to Show Cause by January 27, 2017, Why Their Combined Cross-Motion for Summary Judgment and Response Should Not Be Unsealed - Signed by District Judge Judith E. Levy. (FMos) (Entered: 01/23/2017) |
| 01/23/2017 | 77 | ORDER Granting Defendant Allegiance Health's Consent 75 Motion for Leave to File a Combined Response to Plaintiff's Cross-Motion for Summary Judgment and Reply to Plaintiffs' Response to Defendant's Motion for Partial Summary Judgment. Signed by District Judge Judith E. Levy. (FMos) (Entered: 01/23/2017) |
| 01/23/2017 | 78 | MOTION for Extension of Time to File Response/Reply as to 76 Memorandum Opinion & Order, 66 Order on Motion to Seal, <i>and to Consolidate All Briefing on the Sealing of Confidential Information</i> by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 01/23/2017) |
| 01/24/2017 | 79 | NOTICE OF HEARING on 73 MOTION for Summary Judgment (<i>Cross-Motion</i>) and Response to Allegiance Health's Motion for Partial Summary Judgment, 74 SEALED MOTION for Summary Judgment (<i>Cross-Motion</i>) and Response to Allegiance Health's Motion for Partial Summary Judgment by All Plaintiffs.. Motion Hearing set for 4/24/2017 at 1:00 PM before District Judge Judith E. Levy (FMos) (Entered: 01/24/2017) |
| 01/24/2017 | | TEXT-ONLY ORDER Granting in Part 78 MOTION for Extension of Time to File Response/Reply. The parties may filed combined responses to the outstanding show-cause orders by February 3, 2017 - Issued by District Judge Judith E. Levy. (FMos) (Entered: 01/24/2017) |
| 02/03/2017 | 80 | NOTICE by All Plaintiffs re 76 Memorandum Opinion & Order, 66 Order on Motion to Seal, <i>of Response to Orders to Show Cause Regarding Sealing of Filings</i> (Liskey, Garrett)[DOCKET ERROR - WRONG EVENT USED - DOCUMENT IS A RESPONSE TO ORDER TO SHOW CAUSE] Modified on 2/6/2017 (Ahmed, N). (Entered: 02/03/2017) |

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| 02/03/2017 | 81 | NOTICE by W.A. Foote Memorial Hospital re 76 Memorandum Opinion & Order, 66 Order on Motion to Seal, <i>Response To This Court's Orders Directing The Parties To Show Cause Why Previously Sealed Documents Should Not Be Unsealed</i> (Attachments: # 1 Exhibit) (Burns, James)[DOCKET ERROR - WRONG EVENT USED - DOCUMENT IS A RESPONSE] Modified on 2/6/2017 (Ahmed, N). (Entered: 02/03/2017) |
| 02/09/2017 | 82 | REPLY to Response re 68 MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law Modified Unredacted Version</i> , 64 MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law</i> filed by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 02/09/2017) |
| 02/10/2017 | 83 | REPLY to Response re 68 MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law Modified Unredacted Version</i> , 64 MOTION for Partial Summary Judgment <i>And Supporting Memorandum Of Law CORRECTED</i> filed by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit) (Burns, James) (Entered: 02/10/2017) |
| 02/13/2017 | | Reset Scheduling Order Deadlines: Findings of Fact and Conclusions of Law due by 5/16/2017 and Bench Trial set for 5/23/2017 at 8:30 AM before District Judge Judith E. Levy (FMos) (Entered: 02/13/2017) |
| 02/23/2017 | 84 | MOTION <i>for Leave to File Under Seal (Temporarily) (consent motion)</i> by All Plaintiffs. (Robinson, Andrew) (Entered: 02/23/2017) |
| 02/23/2017 | 85 | REPLY to Response re 73 MOTION for Summary Judgment <i>(Cross-Motion) and Response to Allegiance Health's Motion for Partial Summary Judgment</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit P, # 3 Exhibit Q, # 4 Exhibit R (redacted), # 5 Exhibit S) (Robinson, Andrew) (Entered: 02/23/2017) |
| 02/23/2017 | 86 | SEALED EXHIBIT R re 85 Reply to Response to Motion, by All Plaintiffs. (Robinson, Andrew) (Entered: 02/23/2017) |
| 02/28/2017 | 87 | MOTION in Limine by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Manning Expert Report, # 3 Exhibit B - Manning Deposition, # 4 Exhibit C - Economics Treatise) (Maguire, Jill) (Entered: 02/28/2017) |
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| 03/01/2017 | 88 | NOTICE OF HEARING on 87 MOTION in Limine . Motion Hearing set for 4/10/2017 at 12:00 PM before District Judge Judith E. Levy (FMos) (Entered: 03/01/2017) |
| 03/02/2017 | 89 | ORDER Granting Plaintiffs' Consent 84 Motion for Leave to Temporarily File Under Seal Exhibit R to Plaintiffs' Reply in Support of their Cross-Motion for Summary Judgment. Signed by District Judge Judith E. Levy. (FMos) (Entered: 03/02/2017) |
| 03/07/2017 | 90 | MOTION to Seal <i>Confidential Information from Public Disclosure and Incorporated Memorandum of Law</i> by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 03/07/2017) |
| 03/08/2017 | 91 | NOTICE OF HEARING on 90 MOTION to Seal <i>Confidential Information from Public Disclosure and Incorporated Memorandum of Law</i> . Motion Hearing set for 3/20/2017 at 11:00 AM before District Judge Judith E. Levy (FMos) (Entered: 03/08/2017) |
| 03/13/2017 | 92 | Joint MOTION TO EXTEND The Parties' Briefing Scheduling re 87 MOTION in Limine by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 03/13/2017) |
| 03/15/2017 | | Reset Deadlines as to 87 MOTION in Limine . Motion Hearing reset (will be heard before trial) on 5/23/2017 at 8:30 AM before District Judge Judith E. Levy (FMos) (Entered: 03/15/2017) |
| 03/15/2017 | 93 | ORDER Granting 92 Joint Motion to Extend Briefing Schedule re 87 MOTION in Limine -. Signed by District Judge Judith E. Levy. (FMos) (Entered: 03/15/2017) |
| 03/17/2017 | 94 | RESPONSE to 87 MOTION in Limine filed by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C) (Burns, James) (Entered: 03/17/2017) |
| 03/20/2017 | | Minute Entry for proceedings before District Judge Judith E. Levy: Motion Hearing held on 3/20/2017 re 90 MOTION to Seal <i>Confidential Information from Public Disclosure and Incorporated Memorandum of Law</i> filed by W.A. Foote Memorial Hospital. Disposition: Motion taken under advisement (Court Reporter: Jeseca Eddington) (FMos) (Entered: 03/21/2017) |
| 03/24/2017 | 95 | SEALED TRANSCRIPT of Motion Hearing held on 3/20/2017. (Court Reporter/Transcriber: Jeseca C. Eddington) (Number of Pages: 74) Attorneys of record may purchase a copy of the |

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| | | transcript from the Court Reporter/Transcriber. (Eddington, J) (Entered: 03/24/2017) |
| 03/27/2017 | 96 | REPLY to Response re 87 MOTION in Limine filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit D - Manning Deposition, # 3 Exhibit E - Margolis Deposition, # 4 Exhibit F - Chipty Report) (Maguire, Jill) (Entered: 03/27/2017) |
| 04/06/2017 | | TEXT-ONLY ORDER Resetting Scheduling Order Dates: (Findings of Fact and Conclusions of Law due by 7/13/2017 and Bench Trial set for 7/18/2017 at 8:30 AM before District Judge Judith E. Levy) - Issued by District Judge Judith E. Levy. (FMos) (Entered: 04/06/2017) |
| 04/06/2017 | | Reset Motion Hearing on 87 Motion in Limine: Motion Hearing reset for 7/18/2017 at 8:30 AM before District Judge Judith E. Levy (FMos) (Entered: 04/06/2017) |
| 04/11/2017 | 97 | MEMORANDUM OPINION and ORDER Dissolving Orders to Show Cause 66 , 76 and Order Parties to Refile Dkts 47 , 74 and 86 with Redactions - Signed by District Judge Judith E. Levy. (FMos) (Entered: 04/11/2017) |
| 04/21/2017 | 98 | NOTICE by All Plaintiffs re 46 Sealed Reply to Response to Motion, <i>of Filing Public Version</i> (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Redacted Reply Brief, # 3 Exhibit 2 - Redacted Exhibit 1, # 4 Exhibit 3 - Redacted Exhibit 2, # 5 Exhibit 4 - Redacted Exhibit 3) (Robinson, Andrew) (Entered: 04/21/2017) |
| 04/21/2017 | 99 | NOTICE by All Plaintiffs re 74 SEALED MOTION for Summary Judgment (<i>Cross-Motion</i>) and Response to Allegiance Health's Motion for Partial Summary Judgment by All Plaintiffs. <i>of Filing Public Version</i> (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Redacted Cross-Motion for Summary Judgment, # 3 Exhibit 2 - Exhibit A, # 4 Exhibit 3 - Redacted Exhibit B, # 5 Exhibit 4 - Exhibit C-3, # 6 Exhibit 5 - Redacted Exhibit D, # 7 Exhibit 6 - Redacted Exhibit K, # 8 Exhibit 7 - Redacted Exhibit L, # 9 Exhibit 8 - Redacted Exhibit N, # 10 Exhibit 9 - Redacted Exhibit O) (Robinson, Andrew) (Entered: 04/21/2017) |
| 04/21/2017 | 100 | NOTICE by All Plaintiffs re 86 Sealed Exhibit , <i>of Filing Public Version</i> (Attachments: # 1 Exhibit 1 - Redacted Exhibit R) (Robinson, Andrew) (Entered: 04/21/2017) |
| 04/24/2017 | | Minute Entry for proceedings before District Judge Judith E. Levy: Motion Hearing held on 4/24/2017 re 74 SEALED MOTION for |

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| | | Summary Judgment, 68 MOTION for Partial Summary Judgment, 64 MOTION for Partial Summary Judgment, 73 MOTION for Summary Disposition: Motion taken under advisement (Court Reporter: Jodi Matthews) (FMos) (Entered: 04/24/2017) |
| 04/25/2017 | | TEXT-ONLY ORDER Rescheduling Trial: (Findings of Fact and Conclusions of Law due by 10/10/2017 and Bench Trial reset for 10/17/2017 at 9:00 AM before District Judge Judith E. Levy). The Court will keep hearing on Motions in Limine as scheduled for 7/18/2017 - Issued by District Judge Judith E. Levy. (FMos) (Entered: 04/25/2017) |
| 05/01/2017 | 101 | TRANSCRIPT of CROSS MOTIONS FOR SUMMARY JUDGMENT held on April 24, 2017. (Court Reporter/Transcriber: Nefertiti Jodi Matthews) (Number of Pages: 72) 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 5/22/2017. Redacted Transcript Deadline set for 6/1/2017. Release of Transcript Restriction set for 7/31/2017. Transcript may be viewed at the court public terminal or purchased through WWW.TRANSCRIPTORDERS.COM before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Matthews, N) (Entered: 05/01/2017) |
| 05/02/2017 | 102 | REVISED TRANSCRIPT of CROSS MOTIONS FOR SUMMARY JUDGMENT per Erratta Sheet Request and approval by both sides, held on April 24, 2017.(An Erratta Sheet to transcript is provided where corrections need to be made as relates to "Form", "Mistake", or "Substance" in lieu of what the Reporter "Heard".)[PLEASE DISCONTINUE USE OF ECF DOCKET #101 TRANSCRIPT] (Court Reporter/Transcriber: Nefertiti Jodi Matthews) (Number of Pages: 72) 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 5/23/2017. Redacted Transcript Deadline set for 6/2/2017. Release of Transcript Restriction set for 7/31/2017. Transcript may be viewed at the court public terminal or purchased through WWW.TRANSCRIPTORDERS.COM before the deadline for Release of Transcript Restriction. After that date, the transcript is |

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| | | publicly available. (Attachments: # 1 Erratta Request Sheet) (Matthews, N) (Entered: 05/02/2017) |
| 05/04/2017 | 103 | TRANSCRIPT of CROSS MOTIONS FOR SUMMARY JUDGMENT per Second Erratta Sheet Request for Punctuation Revisions, with no position held by plaintiffs on April 24, 2017. An Erratta Sheet to transcript is provided where corrections need to be made as relates to "Form", "Mistake", or "Substance" in lieu of what the Reporter "Heard".)[PLEASE DISCONTINUE USE OF ECF DOCKET #101 & #102 TRANSCRIPT(Court Reporter/Transcriber: Nefertiti Jodi Matthews) (Number of Pages: 72) 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 5/25/2017. Redacted Transcript Deadline set for 6/5/2017. Release of Transcript Restriction set for 8/2/2017. Transcript may be viewed at the court public terminal or purchased through WWW.TRANSCRIPTORDERS.COM before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Attachments: # 1 Erratta Request Sheet #2) (Matthews, N) (Entered: 05/04/2017) |
| 05/23/2017 | | Reset Deadlines as to 87 MOTION in Limine . Motion Hearing reset for 7/19/2017 at 10:00 AM before District Judge Judith E. Levy (FMos) (Entered: 05/23/2017) |
| 05/31/2017 | 104 | OPINION and ORDER Denying Defendant's 64 , 68 , Motion for Partial Summary Judgment and Plaintiffs' 73 , 74 Motion for Summary Judgment. Signed by District Judge Judith E. Levy. (FMos) (Entered: 05/31/2017) |
| 06/20/2017 | | TEXT-ONLY NOTICE: Motion in Limine Hearing on July 19, 2017 is Cancelled and will be decided on the briefs. (FMos) (Entered: 06/20/2017) |
| 07/10/2017 | 105 | MOTION for Leave to File <i>Supplemental Authority In Support Of Its Opposition To Plaintiffs' Motion In Limine</i> by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit A) (Burns, James) (Entered: 07/10/2017) |
| 07/10/2017 | 106 | ORDER Granting Defendant's 105 Motion for Leave to File Supplemental Authority in Support of Opposition to Plaintiffs' 87 Motion in Limine. Signed by District Judge Judith E. Levy. (SBur) (Entered: 07/10/2017) |

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| 07/20/2017 | 107 | ORDER Requiring Parties to Submit Supplemental Briefing. (Supplemental Briefs due by 8/7/2017) Signed by District Judge Judith E. Levy. (SBur) (Entered: 07/20/2017) |
| 08/07/2017 | 108 | SUPPLEMENTAL BRIEF re 107 Order, Set Deadlines/Hearings filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E) (Robinson, Andrew) (Entered: 08/07/2017) |
| 08/07/2017 | 109 | SUPPLEMENTAL BRIEF re 107 Order, Set Deadlines/Hearings filed by W.A. Foote Memorial Hospital. (Attachments: # 1 Exhibit "1") (Burns, James) (Entered: 08/07/2017) |
| 08/09/2017 | 110 | MOTION For Oral Argument in Furtherance of the Court's Request for Supplemental Briefing and For a Continuance of the Trial Date re 107 Order, Set Deadlines/Hearings by W.A. Foote Memorial Hospital. (Burns, James) (Entered: 08/09/2017) |
| 08/10/2017 | | TEXT-ONLY ORDER Rescheduling Trial. (Findings of Fact and Conclusions of Law due by 12/11/2017 and Bench Trial set for 12/18/2017 at 9:00 AM before District Judge Judith E. Levy) Signed by District Judge Judith E. Levy. (SBur) (Entered: 08/10/2017) |
| 08/17/2017 | 111 | ORDER Granting Defendant's 110 MOTION For Oral Argument and Denying as Moot Motion to Continue Trial. (Hearing set for 10/5/2017 at 10:00 AM before District Judge Judith E. Levy) Signed by District Judge Judith E. Levy. (SBur) (Entered: 08/17/2017) |
| 09/07/2017 | 112 | STIPULATED ORDER Setting Deadline for filing Proposed Findings of Fact and Conclusions of Law and Setting Trial Date. (Findings of Fact and Conclusions of Law due by 2/27/2018, Bench Trial set for 3/6/2018 at 9:00 AM before District Judge Judith E. Levy) Signed by District Judge Judith E. Levy. (SBur) (Entered: 09/07/2017) |
| 10/05/2017 | | Minute Entry for proceedings before District Judge Judith E. Levy: Miscellaneous Hearing held on 10/5/2017. (Court Reporter: Jeseca Eddington) (SBur) (Entered: 10/05/2017) |
| 10/12/2017 | 113 | TRANSCRIPT of Motion Hearing held on 10/5/2017. (Court Reporter/Transcriber: Jeseca C. Eddington) (Number of Pages: 58) 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 |

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| | | available to the public without redaction after 90 days. Redaction Request due 11/2/2017. Redacted Transcript Deadline set for 11/13/2017. Release of Transcript Restriction set for 1/10/2018. 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. (Eddington, J) (Entered: 10/12/2017) |
| 12/20/2017 | 114 | ORDER Regarding Ongoing Jurisdiction. Signed by District Judge Judith E. Levy. (SBur) (Entered: 12/20/2017) |
