



#### ABOUT

**EPSTEIN BECKER & GREEN, P.C.**  
FOUNDED IN 1973, EBG IS A GENERAL PRACTICE LAW FIRM WITH MORE THAN 375 ATTORNEYS PRACTICING IN ELEVEN OFFICES THROUGHOUT THE U.S. AND AFFILIATIONS WORLDWIDE. THE FIRM'S SIZE, DIVERSITY, AND GLOBAL AFFILIATIONS ALLOW ITS ATTORNEYS TO ADDRESS THE NEEDS OF BOTH SMALL ENTREPRENEURIAL VENTURES AND LARGE MULTINATIONAL CORPORATIONS ON A WORLDWIDE BASIS, INCLUDING DOMESTIC FORTUNE 100, MIDDLE MARKET, AND INTERNATIONAL AFFILIATES.

THE COST TO PARTICIPATE IN THIS  
TELECONFERENCE IS \$50.



THOUGHT LEADERS IN  
HEALTH LAW®  
EBGLAW.COM

## Presents

### A TELECONFERENCE ON: **EVANSTON RECONSIDERED**

What the ALJ's Decision Does, and Does Not, Mean

WEDNESDAY, DECEMBER 7, 2005  
12:00 p.m. - 1:45 p.m. EST

The Initial Decision rendered by the Federal Trade Commission's ("FTC") Administrative Law Judge ("ALJ") in the FTC's retrospective challenge to the merger that created Evanston Northwestern Healthcare Corporation ("Evanston") both reaffirms long-standing antitrust principles and breaks new ground. Understanding what is old and what is new makes the ALJ's decision, and any decision on appeal, all the more important to health care organizations.

This audio conference will explain what the ALJ found and why. More important, however, EBG attorneys and the former Chief FTC Economist, who have been involved in many ground-breaking health care antitrust cases, will explain what the Evanston decision means to health care organizations, as well as the most important and enduring lessons that each health care organization should remember once the initial hype has faded.

- **Post-Merger Conduct Matters, Including Pre-Merger Plans** - the antitrust implications of post-merger conduct begin well before the merger, and will affect the merged organization's future long after.
- **Life after Patient Flow Analysis** - why patient flow analysis always should have been just a part of the picture, and how to defend a merger using other analytical techniques.
- **Divestiture** - Integration "scrambling the eggs" matters, but you have to scramble the right eggs.
- **When a Merger is not a Merger** - Having the same parent does not necessarily mean the hospitals are merged; without economic unity of interest cooperation can subject the parties to antitrust liability, as well as to *per se* treatment.

EBG attorneys Mike Bissegger, Bill Kopit, Trish Wagner and former Chief FTC Economist Luke Froeb will outline the most important elements of the ALJ's decision and explain what the antitrust principles reflected in that decision mean to hospitals, health systems and other health care organizations.



**A Teleconference On:  
EVANSTON RECONSIDERED**

**What the ALJ's Decision  
Does, and Does Not, Mean**

**WEDNESDAY,  
DECEMBER 7, 2005  
12:00 p.m. – 1:45 p.m. EST**



THOUGHT LEADERS IN  
HEALTH LAW®  
EBGLAW.COM

**ABOUT THE SPEAKERS**

Michael R. Bissegger - is a member of the firm in the Antitrust group of the Health Care and Life Sciences Practice in the Washington, D.C. office. Mr. Bissegger practices antitrust law, with a particular emphasis on health care antitrust issues. Mr. Bissegger began his career at the FTC and was a member of the FTC team in *FTC v. Columbia Hospital*; the federal government's last successful challenge to a hospital merger.

William G. Kopit - is senior counsel to the firm and practices in the Antitrust group of the Health Care and Life Sciences Practice in the Washington, D.C. office. Mr. Kopit has written extensively on antitrust issues and was a principal author of the American Hospital Association's White Paper, *Hospital Collaboration: The Need for an Appropriate Antitrust Policy*, 1992.

Luke M. Froeb - is the William C. and Margaret W. Oehmig Associate Professor in Entrepreneurship and Free Enterprise at Vanderbilt University. Dr. Froeb was the Director of the FTC's Bureau of Economics from August 2003 to July 2005 and oversaw the economic analysis of the FTC's retrospective review of hospital mergers and the development of the FTC's case against Evanston. Dr. Froeb is a special consultant to ERS Group, which specializes in economic and statistical analyses for complex business litigation.

Patricia M. Wagner - is an associate in the Antitrust group of the Health Care and Life Sciences Practice in the Washington, D.C. office. Her experience includes litigation of federal and state health care antitrust matters and counseling on a broad range of health care antitrust issues. Ms. Wagner also has a Ph.D. in Microbiology.

The cost to participate in the **EVANSTON RECONSIDERED - WHAT THE ALJs DECISION DOES, AND DOES NOT, MEAN TELECONFERENCE**, on **WEDNESDAY, DECEMBER 7, 2005** is \$50.00.

To register, please fax the registration form below and return to:

Amy Simmons  
Marketing & Recruitment Manager  
Epstein Becker & Green, P.C.  
1227 25th Street, N.W., Suite 700  
Washington, D.C. 20037  
Phone: 202/861-1811 Fax: 202/861-3511  
email: asimmons@ebglaw.com

**REGISTRATION FORM**

Please make checks payable to: Epstein Becker & Green, P.C. and mail to the attention of Amy Simmons at the address above

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_