



Australian  
Competition &  
Consumer  
Commission

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Our Ref: N95607  
Contact Officer: Clare McGinness  
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1 December 2011

Ms Fleur Gibbons  
Partner  
DLA Piper

Mr Marko Filipovic  
Solicitor  
DLA Piper

Sent via email: [fleur.gibbons@dlapiper.com](mailto:fleur.gibbons@dlapiper.com); [marko.filipovic@dlapiper.com](mailto:marko.filipovic@dlapiper.com)

Dear Ms Gibbons and Mr Filipovic

**Re: Cabrini Health Limited exclusive dealing notification –  
request for further information and interested party submissions**

I refer to your letter of 29 November 2011 requesting an extension of time to respond to the ACCC's letter of 23 December 2011 which requested further information and a response to interested party submissions.

You have requested until 9 December 2011. I understand that a number of issues have been raised by interested parties and appreciate your assistance in providing a response by **COB 9 December 2011** to the ACCC's request for pricing information (Question 6 in the ACCC's letter of 23 November 2011) and to the issues raised in interested party submissions.

I note, however, that Questions 2 to 5 of the ACCC's letter seek to clarify aspects of the notified conduct. As you would appreciate, we would like a response to these questions **as soon as possible** after the initial due date of 2 December 2011.

I request that you treat your response to Question 1 as a priority. The attached submission from the Department of Health and Ageing highlights the importance of the ACCC receiving clarification of these issues. The ACCC requests that you provide a response to this question by **COB Monday 5 December 2011**.

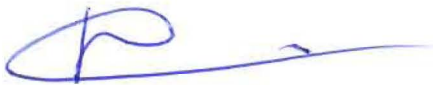
Ms McGinness of the ACCC indicated to Ms Gibbons on 23 November 2011 that the ACCC had received approximately 25 submissions from interested parties. I can confirm that the

ACCC has now received a total of 25 submissions, with the most recent one received on 28 November 2011.

On 25 November 2011, the ACCC had forwarded 19 submissions to you. Three submissions were forwarded to you yesterday, and I now attach the Department of Health and Ageing's submission. The ACCC anticipates being able to send you public versions of the remaining two submissions shortly, which have been provided by interested parties who wish to remain anonymous.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Clare McGinness on (03) 9290 6909.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'R. Chadwick', with a long horizontal stroke extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch

Cc: Associate Professor Simon Woods, Cabrini Health Limited, via email:  
[swoods@cabrini.com.au](mailto:swoods@cabrini.com.au)