

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION

and

STATE OF ILLINOIS

Plaintiffs,

v.

ADVOCATE HEALTH CARE NETWORK,

ADVOCATE HEALTH AND HOSPITALS
CORPORATION,

and

NORTHSHORE UNIVERSITY
HEALTHSYSTEM

Defendants.

1:15-cv-11473

Judge Jorge L. Alonso

Magistrate Judge Jeffrey Cole

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FILED

DEC 21 2015

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

**JOINT MOTION FOR ENTRY OF STIPULATED
TEMPORARY RESTRAINING ORDER**

Plaintiff, the Federal Trade Commission (the “Commission”), along with the State of Illinois, has filed this action seeking an order preliminarily enjoining the affiliation of Defendants Advocate Health Care Network and Advocate Health and Hospitals Corporation (together, “Advocate”) and Defendant NorthShore University HealthSystem (“NorthShore”) (affiliation herein referred to as the “Transaction”) as a violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, and Section 7 of the Clayton Act, 15 U.S.C. § 18. The Commission and the Defendants have stipulated to a temporary restraining order under which Advocate and NorthShore will not consummate the Transaction until four business days after the

Court rules on the Commission's anticipated motion for a preliminary injunction. By this motion, the Commission and the Defendants respectfully and jointly move the Court to enter that stipulation as an Order of the Court on the record.

The stipulation and proposed order are attached for the Court's approval.

* * * * *

Dated: December 21, 2015

Respectfully Submitted,

/s/ James T. Greene

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*Counsel for Defendant NorthShore
University HealthSystem*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of December, 2015, I served the foregoing on the following counsel via electronic mail:

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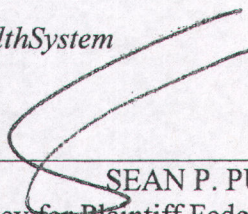
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Plaintiffs,

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NORTHSHORE UNIVERSITY
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Defendants.

No. ____-cv-____

**STIPULATION AND [PROPOSED]
TEMPORARY RESTRAINING ORDER**

WHEREAS, Plaintiff, the Federal Trade Commission (the “Commission”), along with the State of Illinois, filed a Complaint in this matter on December 21, 2015, seeking, among other relief, a temporary restraining order and preliminary injunction enjoining Defendants Advocate Health Care Network and Advocate Health and Hospitals Corporation (together, “Advocate”) from affiliating with Defendant NorthShore University HealthSystem (“NorthShore,” and together with Advocate, “Defendants”) (the proposed affiliation herein referred to as the “Transaction”); and

WHEREAS, absent this Stipulation, Defendants Advocate and NorthShore would be free to consummate the Transaction after 11:59 p.m. EST on December 23, 2015; and

WHEREAS, the Commission and the Defendants have agreed that Defendants will not consummate the Transaction until four business days after the Court rules on the Commission's anticipated motion for a preliminary injunction, pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AMONG THE PARTIES:

1. Advocate and NorthShore shall not consummate the Transaction, or otherwise effect a combination of Advocate and NorthShore, until four business days after the Court rules on the Commission's motion for a preliminary injunction, pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b); and
2. In connection with the immediately above paragraph, Advocate and NorthShore shall take any and all necessary steps to prevent any of their officers, directors, agents, divisions, subsidiaries, affiliates, partnerships, or joint ventures from consummating, directly or indirectly, any such affiliation, or otherwise effecting any combination between Advocate and NorthShore.

* * * * *

Dated: December 21, 2015

Respectfully Submitted,

/s/ James T. Greene

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SO ORDERED, this _____ day of December, 2015.

United States District Court Judge

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