

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Federal Trade Commission, and)	
State of North Dakota,)	ORDER ADOPTING STIPULATION
)	FOR TEMPORARY
Plaintiffs,)	RESTRAINING ORDER
)	
vs.)	
)	Case No. 1:17-cv-133
Sanford Health,)	
Sanford Bismarck, and)	
Mid Dakota Clinic, P.C.,)	
)	
Defendants.)	

On June 22, 2017, the Plaintiffs filed a complaint and stipulation for entry of a temporary restraining order. See Docket No. 3 and 4. The Plaintiffs seek to prohibit the Defendants from consummating a proposed transaction pursuant to an agreement dated August 22, 2016, whereby Sanford Health and Sanford Bismarck (collectively “Sanford”) plan to purchase Mid Dakota Clinic, P.C.’s (“MDC”) assets (herein referred to as the “Transaction”). The Court **ADOPTS** the stipulation (Docket No. 4) in its entirety and **ORDERS** that Sanford and MDC are **TEMPORARILY RESTRAINED** and **ENJOINED** as follows:

- 1) Sanford and MDC shall not consummate the Transaction, or otherwise effect a combination of Sanford and MDC, until after 11:59 pm eastern time on the fifth business day after the Court rules on the Plaintiffs’ motion for a preliminary injunction, pursuant to Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b), and Section 16 of the Clayton Act, 15 U.S.C. § 26; and
- 2) In connection with the above paragraph, Sanford and MDC 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 Sanford and MDC; and

- 3) In computing any period specified in this Stipulation, the day of the act, event, or default that triggers the period shall be excluded. The term “business day” as used in this Stipulation refers to any day that is not a Saturday, Sunday, or federal holiday.
- 4) Except as stipulated, the Defendants reserve all rights and defenses with respect to the proposed Transaction.

IT IS SO ORDERED.

Dated this 22nd day of June, 2017.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court