

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

FEDERAL TRADE COMMISSION

Plaintiff,

v.

**HACKENSACK MERIDIAN HEALTH,
INC.,**

and

**ENGLEWOOD HEALTHCARE
FOUNDATION,**

Defendants.

No. 2:20-cv-18140-JMV-JBC

PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION

Plaintiff Federal Trade Commission (“the Commission”) respectfully moves the Court 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, for a preliminary injunction enjoining Defendants Hackensack Meridian Health, Inc., and Englewood Healthcare Foundation (collectively, “Defendants”) from merging pending the completion of a full administrative proceeding on the merits, which is scheduled to begin on June 15, 2021.

Plaintiff’s complaint seeks a preliminary injunction to preserve the status quo and prevent Defendants from merging or acquiring each other’s assets or other interests, pending final disposition of the Federal Trade Commission’s full administrative proceeding on the merits.

Because Defendants have threatened to close their proposed acquisition before the completion of the administrative proceeding, the Commission respectfully requests a preliminary injunction from the Court to preserve its ability to obtain adequate relief and to prevent harm to

consumers. In the administrative proceeding, the Commission is likely to show that Defendants' acquisition, if consummated, will violate Section 7 of the Clayton Act, 15 U.S.C. § 18, by substantially lessening competition or tending to create a monopoly in the relevant markets as alleged in the complaint. Plaintiff further asserts that a preliminary injunction is in the public interest because such relief will preserve competition by maintaining the status quo and enabling the Federal Trade Commission to order effective antitrust relief, if warranted, after an administrative adjudication of the merits of the case.

This motion is supported by the Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction and accompanying exhibits. Plaintiff has moved this Court for leave to file the Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction and accompanying exhibits under seal.

Dated: March 22, 2021

Respectfully submitted,

s/ Jonathan Lasken
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CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2021, a true and correct copy of Plaintiff's Motion for a Preliminary Injunction was sent by electronic mail to all counsel of record.

Respectfully submitted,

s/ Jonathan Lasken

JONATHAN LASKEN
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