

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Lina M. Khan, Chair
Noah Joshua Phillips
Rebecca Kelly Slaughter
Christine S. Wilson**

In the Matter of

Hackensack Meridian Health, Inc.,

and

Englewood Healthcare Foundation.

Docket No. 9399

**COMPLAINT COUNSEL’S MOTION TO WITHDRAW THE
MATTER FROM ADJUDICATION**

Complaint Counsel moves the Commission to withdraw this matter from adjudication. Complaint Counsel has secured a preliminary injunction in this matter and, as a result, Respondents are abandoning their transaction. All that remains is to assess whether further relief is warranted. Complaint Counsel believes that it would be in the interest of the Commission, the public, and the Parties to remove the matter from adjudication so that the Commission can evaluate whether further relief is warranted based on the facts of this specific case. In support of this motion, Complaint Counsel states the following:

1. On December 4, 2020, Complaint Counsel filed this action and a complaint in the United States District Court for the District of New Jersey seeking a preliminary injunction to enjoin the proposed transaction between Respondents until completion of this administrative proceeding. Respondents stipulated to the entry of a temporary restraining order in the federal litigation.

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2. On August 4, 2021, after a seven-day evidentiary hearing the district court granted Complaint Counsel's motion for a preliminary injunction. *FTC v. Hackensack Meridian Health, Inc.*, No. 20-18140, 2021 WL 4145062 (D.N.J. Aug. 4, 2021).

3. On March 22, 2022, the Third Circuit Court of Appeals affirmed the district court's injunction. *Federal Trade Commission v. Hackensack Meridian Health*, ___ F.4th ___, 2022 WL 840463 (3d Cir. 2022).

4. On March 31, 2022, the parties notified Complaint Counsel that they are abandoning their transaction.

5. Complaint Counsel believes that it is in the interest of the Commission, the public, and the Parties to remove the matter from adjudication to allow the Commission to evaluate whether further relief is warranted.

6. Complaint Counsel conferred with counsel for Respondents. Respondents oppose this motion.

For the foregoing reasons, Complaint Counsel respectfully requests that the Commission exercise its discretion to withdraw this matter from adjudication.

Dated: April 5, 2022

Respectfully submitted,

s/ Jonathan Lasken

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FEDERAL TRADE COMMISSION

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Counsel Supporting the Complaint

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**[PROPOSED] ORDER GRANTING COMPLAINT COUNSEL’S MOTION TO
WITHDRAW THE MATTER FROM ADJUDICATION**

Good cause having been shown,

IT IS HEREBY ORDERED THAT Complaint Counsel’s Motion to Withdraw the Matter
from Adjudication is **GRANTED**.

By the Commission.

April J. Tabor
Secretary

ISSUED:

CERTIFICATE OF SERVICE

I hereby certify that on April 5, 2022, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580
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The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

I also certify that I caused the foregoing document to be served via email to:

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