

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:24-cv-00028**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

NOVANT HEALTH, INC.

and

COMMUNITY HEALTH SYSTEMS, INC.,

Defendants.

**PLAINTIFF’S UNOPPOSED
MOTION FOR A TEMPORARY
RESTRAINING ORDER**

Plaintiff Federal Trade Commission (“FTC”) has filed this action seeking to preliminarily enjoin Defendant Novant Health, Inc.’s acquisition of Lake Normal Regional Medical Center, Davis Regional Medical Center, and related assets from Defendant Community Health Systems, Inc. (the “Proposed Acquisition”) pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), until the FTC has had the opportunity to determine the legality of the Proposed Acquisition in an administrative proceeding. In the absence of temporary relief, Defendants would be able to consummate the Proposed Acquisition after 11:59 PM Eastern Time on January 30, 2024. However, the FTC and Defendants have stipulated to entry of a temporary restraining order under which Defendants will not consummate the Proposed Acquisition until after 11:59 PM Eastern Time on the fifth business day after the Court rules on the FTC’s request for a preliminary injunction pursuant to Section 13(b) of the Federal Trade Commission Act or until

after a date set by the Court, whichever is later. A copy of the stipulation is attached hereto as Exhibit A.

The FTC requests that the Court enter a temporary restraining order consistent with the stipulation. A proposed temporary restraining order will be submitted herewith. The FTC has conferred with counsel for Defendants, who do not oppose the relief sought in this Motion.

Dated: January 25, 2024

Respectfully submitted,

/s/ Nathan Brenner

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the below persons on January 25, 2024, via e-mail at the following addresses:

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