

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

**COMMISSIONERS:        Edith Ramirez, Chairwoman  
                                 Maureen K. Ohlhausen  
                                 Terrell McSweeney**

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<b>In the Matter of</b>	)	
	)	
<b>Advocate Health Care Network, a corporation;</b>	)	<b>Docket No. 9369</b>
	)	
<b>Advocate Health and Hospitals Corporation, a corporation;</b>	)	
	)	
<b>and</b>	)	
	)	
<b>NorthShore University HealthSystem, a corporation.</b>	)	
	)	

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**ORDER GRANTING CONTINUANCE**

On October 31, 2016, the Court of Appeals for the Seventh Circuit reversed the denial of the Commission’s motion for a preliminary injunction by the U.S. District Court for the Northern District of Illinois. The Seventh Circuit’s injunction preventing Respondents from merging pending the District Court’s reconsideration of the preliminary injunction motion remains in place.<sup>1</sup> The administrative hearing is currently scheduled to begin on November 21, 2016.<sup>2</sup>

Complaint Counsel and Respondents jointly request that the Commission continue the administrative hearing and grant an extension of all pre-hearing deadlines.<sup>3</sup> The parties state that the requested continuance will both ease the burden on third parties and expert witnesses to prepare for the administrative hearing and allow time to narrow the scope of issues to be presented at the administrative hearing, without imposing any countervailing harms.

In light of the foregoing, we find that there is good cause to grant the requested continuance. Accordingly,

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<sup>1</sup> *Fed. Trade Comm’n v. Advocate Health Care Network*, \_\_\_ F.3d \_\_\_ 7th Cir. (October 31, 2016), at [https://www.ftc.gov/system/files/documents/cases/161101advocate\\_ca7\\_opinion.pdf](https://www.ftc.gov/system/files/documents/cases/161101advocate_ca7_opinion.pdf) (Opinion); Final Judgment at [https://www.ftc.gov/system/files/documents/cases/161101advocate\\_judgment.pdf](https://www.ftc.gov/system/files/documents/cases/161101advocate_judgment.pdf).

<sup>2</sup> *See Advocate Health Care Network*, Docket No. 9369, Order Granting Continuance (June 28, 2016), at <https://www.ftc.gov/system/files/documents/cases/160628advhcnorder.pdf>.

<sup>3</sup> *Advocate Health Care Network*, Docket No. 9369, Joint Expedited Motion for Continuance of Administrative Proceedings (Nov. 10, 2016), at [https://www.ftc.gov/system/files/documents/cases/161115\\_d09369\\_-\\_joint\\_expedited\\_motion\\_administrative\\_proceedings.pdf](https://www.ftc.gov/system/files/documents/cases/161115_d09369_-_joint_expedited_motion_administrative_proceedings.pdf).

**IT IS HEREBY ORDERED** that the administrative hearing shall commence 21 days after the U.S. District Court for the Northern District of Illinois rules on the Commission's request for a preliminary injunction, and that all pre-hearing deadlines shall be extended until after the District Court issues its decision, as determined by the Administrative Law Judge.

By the Commission.

Donald S. Clark  
Secretary

SEAL:

ISSUED: November 15, 2016