

**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*

Jonathan Lasken

Rohan Pai

Nathan Brenner

Samantha Gordon

Harris Rothman

Anthony Saunders

Cathleen Williams

FEDERAL TRADE COMMISSION

Bureau of Competition

600 Pennsylvania Avenue, NW

Washington, DC 20580

PUBLIC

Telephone: (202) 326-3296

jlasken@ftc.gov

rpai@ftc.gov

nbrenner@ftc.gov

sgordon@ftc.gov

asaunders@ftc.gov

cwilliams@ftc.gov

*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  
ElectronicFilings@ftc.gov

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:

Paul Saint-Antoine  
Kenneth Vorrasi  
FAEGRE DRINKER BIDDLE & REATH LLP  
1500 K Street, NW  
Washington, D.C. 20005  
Paul.saint-antoine@faegredrinker.com  
kenneth.vorrasi@faegredrinker.com

*Counsel for Respondent Hackensack Meridian Health, Inc.*

David E. Dahlquist  
Jeffrey L. Kessler  
Jeffrey J. Amato  
WINSTON & STRAWN LLP  
200 Park Avenue  
New York, NY 10163  
ddahlquist@winston.com  
jkessler@winston.com  
jamato@winston.com

*Counsel for Respondent Englewood Healthcare Foundation*

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By: s/ Jonathan Lasken  
Jonathan Lasken

*Counsel Supporting the Complaint*