

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

COMMISSIONERS: **Lina M. Khan, Chair**
 Rebecca Kelly Slaughter
 Alvaro M. Bedoya

In the Matter of

John Muir Health,
a corporation,

and

Tenet Healthcare Corporation,
a corporation,

Docket No. 9421

PUBLIC

JOINT MOTION TO DISMISS THE COMPLAINT

Complaint Counsel and Respondents John Muir Health (“John Muir”) and Tenet Healthcare Corporation (“Tenet”) (collectively, “Respondents”) jointly move to dismiss the complaint in the above-captioned matter. As set forth in the Attachments, as of December 18, 2023, Respondents have withdrawn their Hart-Scott-Rodino Notification and Report Forms filed for the proposed acquisition that was the subject of the complaint. The complaint is now moot. Accordingly, the parties respectfully request that the Commission dismiss the complaint. A proposed order is attached.

Dated: December 18, 2023

Respectfully submitted,

By: /s/ Nicolas Stebinger

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Matthew Delgado
Peter Huston
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Counsel Supporting the Complaint

By: /s/ Margaret A. Ward

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Counsel for Respondent John Muir Health

Dated: December 18, 2023

By: /s/ Rich Cunningham

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*Counsel for Respondent Tenet Healthcare
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ATTACHMENT

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December 18, 2023

Premerger Notification Office
Federal Trade Commission, Room 5301
400 7th Street, S.W.
Washington, D.C. 20024

Department of Justice, Antitrust Division
Premerger and Division Statistics Unit
450 Fifth Street, N.W., Suite 1100
Washington, D.C. 20530-0001

Attention: Samuel I. Sheinberg

Re Transaction Number 20230625 (Tenet Healthcare Corporation)

To Whom It May Concern:

Please be advised that our client, Tenet Healthcare Corporation (“Tenet”), hereby withdraws its HSR Act Notification and Report Form submitted in connection with the above-referenced transaction. Tenet does not intend to refile.

Sincerely,



Matthew Wheatley
Partner

cc: Nicolas Stebinger and John Wiegand, Federal Trade Commission (via email)

JONES DAY

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December 18, 2023

Samuel I. Sheinberg, Esq.
Premerger Notification Office
Bureau of Competition
Federal Trade Commission
Constitution Center Building
400 7th Street, SW
5th Floor, Room 5301
Washington, DC 20024

VIA E-MAIL

Re: Premerger Notification concerning the proposed acquisition of certain non-corporate interests of Tenet Healthcare Corporation by John Muir Health; Transaction Number: 2023-0625

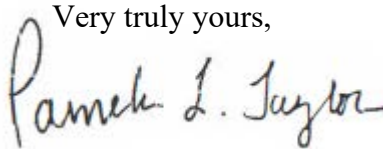
Dear Mr. Sheinberg:

Please be advised that, effective immediately, John Muir Health (“JM”) is withdrawing its HSR Premerger Notification and Report Form that was originally submitted on January 18, 2023, in connection with the above-referenced matter. JM does not intend to refile.

By copy of this letter, I am informing the Department of Justice of this withdrawal.

Please contact me if you have any questions regarding the proposed transaction.

Very truly yours,



Pamela L. Taylor

cc: Antitrust Division, Office of Operations
Premerger and Division Statistics Unit
450 Fifth Street, NW, Suite 1100
Washington, DC 2053

Nicolas Stebinger, Federal Trade Commission (via email)
John Wiegand, Federal Trade Commission (via email)

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COMMISSIONERS: **Lina M. Khan, Chair**
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[PROPOSED] ORDER TO DISMISS COMPLAINT

This matter comes before the Commission on Complaint Counsel and Respondents' Joint Motion to Dismiss the Complaint. Having considered the motion, it is hereby ORDERED:

The Joint Motion to Dismiss the Complaint, dated December 18, 2023, is GRANTED; and the complaint is DISMISSED without prejudice.

By the Commission.

Date: _____

April Tabor
Secretary

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2023, 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:

John Wiegand
Peter Colwell
Matthew Delgado
Peter Huston
Lucy Rosenzweig
Erika Wodinsky
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Counsel for Respondent Tenet Healthcare Corporation

By: /s/ Margaret A. Ward
Margaret A. Ward

Counsel for Respondent John Muir Health

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

December 18, 2023

By: /s/ Margaret A. Ward
Margaret A. Ward