

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

FEDERAL TRADE COMMISSION, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.
)	1:08-cv-460 CMH/JFA
INOVA HEALTH SYSTEM FOUNDATION,)	
<i>et al.</i> ,)	
)	
Defendants.)	

JOINT STIPULATED MOTION FOR ORDER DISMISSING COMPLAINT

Plaintiffs, the Federal Trade Commission and the Attorney General of the Commonwealth of Virginia, jointly move with Defendants, Inova Health System Foundation (“Inova”) and Prince William Health System, Inc. (“PWHS”) to dismiss the complaint for preliminary injunction in the above-captioned matter.

On June 6, 2008, Defendants publicly announced that they are abandoning the proposed merger between Inova and PWHS. Subsequently, Inova and PWHS each withdrew their Hart-Scott-Rodino Notification and Report Forms filed for the proposed transaction. Therefore, the complaint in this action is now moot as there is no proposed transaction to enjoin. Accordingly, the parties respectfully request that the Court dismiss the complaint without prejudice. A proposed order is attached.

Respectfully submitted,

_____/s/_____
Michelle Fetterman
VA Bar No. 68141
Federal Trade Commission
601 New Jersey Ave., N.W.
Washington, D.C. 20580
Phone: (202) 326-2073
Fax: (202) 326-2286
mfetterman@ftc.gov

Matthew Reilly
Thomas J. Lang

Bureau of Competition
Federal Trade Commission
600 New Jersey Ave., N.W.
Washington, D.C. 20580
Phone: (202) 326-3665
mreilly@ftc.gov
tlang@ftc.gov

*Counsel for Plaintiff Federal Trade
Commission*

_____/s/_____
David B. Irvin (VA Bar No. 23927)
Senior Assistant Attorney General
Sarah Oxenham Allen (VA Bar No. 33217)
Assistant Attorney General
Antitrust & Consumer Litigation Section
Office of the Attorney General
Commonwealth of Virginia
900 East Main Street
Richmond, Virginia 23219
Phone: (804) 786-2071
Fax: (804) 786-0122
dirvin@oag.state.va.us
SOAllen@oag.state.va.us

*Counsel for Plaintiff Commonwealth of
Virginia*

_____/s/_____
Randall K. Miller (VA Bar No. 70672)
Nicholas M. DePalma (VA Bar No. 72886)
ARNOLD & PORTER LLP
1600 Tysons Boulevard, Suite 900
McLean, VA 22102-4865
Main: 703.720.7000
Direct: 703.720.7030
Facsimile: 703.720.7399
Email: Randall.Miller@aporter.com
Email: Nicholas.Depalma@aporter.com

David P. Gersch
Arnold & Porter LLP
555 Twelfth Street, N.W.
Washington, DC 20004-1206
Phone: 202-942-5125
David.Gersch@aporter.com

*Counsel for Defendants Inova Health
System Foundation and Prince William
Hospital System*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11th day of June, 2008, I have caused the foregoing Joint Stipulated Motion for Order Dismissing Complaint and the accompanying proposed Order Dismissing Complaint to be filed electronically with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to the following counsel:

Randall K. Miller, Esq.
Nicholas M. DePalma, Esq.
ARNOLD & PORTER LLP
1600 Tysons Boulevard, Suite 900
McLean, VA 22102-4865
Randall.Miller@aporter.com
Nicholas.Depalma@aporter.com

Counsel for Defendants Inova Health System Foundation and Prince William Hospital System

I FURTHER CERTIFY that on such date I have caused these documents to be served on the following counsel via electronic mail:

David P. Gersch, Esq.
ARNOLD & PORTER LLP
555 Twelfth Street, N.W.
Washington, DC 20004-1206
David.Gersch@aporter.com

Counsel for Defendants Inova Health System Foundation and Prince William Hospital System

David B. Irvin, Esq.
Senior Assistant Attorney General
Sarah Oxenham Allen, Esq.
Assistant Attorney General
Office of the Attorney General
Commonwealth of Virginia
900 East Main Street
Richmond, Virginia 23219
dirvin@oag.state.va.us
SOAllen@oag.state.va.us

Counsel for Plaintiff Commonwealth of Virginia

_____/s/_____
Michelle Fetterman
VA Bar No. 68141
Federal Trade Commission
601 New Jersey Ave., N.W.
Washington, D.C. 20580
Phone: (202) 326-2073
Fax: (202) 326-2286
mfetterman@ftc.gov

*Counsel for Plaintiff Federal Trade
Commission*