

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

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

**In the Matter of**

**Superior Plus Corp.  
a corporation,**

**And**

**Canexus Corporation  
a corporation.**

**Docket No. 9371**

**PUBLIC**

**ORDER DISMISSING COMPLAINT**

On June 27, 2016, the Commission issued an administrative Complaint alleging that an acquisition agreement between Respondents Superior Plus Corp. and Canexus Corporation violates Section 5 of the FTC Act, 15 U.S.C. § 45, as amended, and that if the acquisition were consummated, it would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, as well as Section 5 of the FTC Act. Complaint Counsel and Respondents now jointly seek dismissal of the Complaint, on the ground that Superior has abandoned its proposed acquisition of Canexus, and that both Respondents have withdrawn their respective Hart-Scott-Rodino Notification and Report Forms.<sup>1</sup>

The Commission has determined to dismiss the Complaint without prejudice, in light of Respondents' decision to abandon the proposed transaction and their withdrawal of their respective Hart-Scott-Rodino Notification and Report Forms. Respondents would not be able to effectuate the proposed transaction without filing new Hart-Scott-Rodino Notification and Report Forms. The Commission has therefore determined that the public interest warrants dismissal of the Complaint in this matter.<sup>2</sup> Accordingly,

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<sup>1</sup> See Joint Motion to Dismiss Complaint (July 15, 2016).

<sup>2</sup> See, e.g., *Staples Inc.*, Docket No. 9367, Order Dismissing Complaint (May 18, 2016), available at <https://www.ftc.gov/system/files/documents/cases/160519staplesrorder.pdf>; *Sysco Corp.*, Docket No. 9364, Order Dismissing Complaint (June 30, 2015), available at <https://www.ftc.gov/system/files/documents/cases/150630syscoorder.pdf>.

**IT IS ORDERED THAT** the Complaint in this matter be, and it hereby is, dismissed without prejudice.

By the Commission.

Donald S. Clark  
Secretary

SEAL:

ISSUED: August 2, 2016