

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

_____)		
In the Matter of))	
)	
Cooperativa de Médicos Oftalmólogos de))	File No. 141-0194
Puerto Rico.))	
)	
_____))	

AGREEMENT CONTAINING CONSENT ORDER

The Federal Trade Commission (“Commission”), having initiated an investigation of Cooperativa de Médicos Oftalmólogos de Puerto Rico, hereinafter “Proposed Respondent,” and it now appearing that Proposed Respondent is willing to enter into this Agreement Containing Consent Order (“Consent Agreement”) to cease and desist, and providing for other relief:

IT IS HEREBY AGREED by and between Proposed Respondent, by its duly authorized officers and attorneys, and counsel for the Commission that:

1. Proposed Respondent Cooperativa de Médicos Oftalmólogos de Puerto Rico is a healthcare cooperative, existing and doing business under and by virtue of the laws of the Commonwealth of Puerto Rico, with its office and principal place of business located at 1250 Ponce de Leon Avenue, Suite #906, San Juan, Puerto Rico 00907.
2. Proposed Respondent admits all the jurisdictional facts set forth in the draft of Complaint here attached.
3. Proposed Respondent waives:
 - a. any further procedural steps;
 - b. the requirement that the Commission’s Decision and Order, which is attached hereto and made a part hereof, contain a statement of findings of fact and conclusions of law;
 - c. all rights to seek judicial review or otherwise to challenge or contest the validity of the Decision and Order entered pursuant to this Consent Agreement; and
 - d. any claim under the Equal Access to Justice Act.

4. Not later than thirty (30) days after the date this consent Order is signed by the Proposed Respondent, Proposed Respondent shall submit an initial report, pursuant to Section 2.33 of the Commission's Rules, 16 C.F.R. §2.33. Proposed Respondent shall also submit subsequent reports every thirty (30) days thereafter until the Order becomes final. Such reports shall be signed by the Proposed Respondent and shall set forth in detail the manner in which the Proposed Respondent has complied with or will comply with the Decision and Order. Such reports will not become part of the public record unless and until the Consent Agreement and Decision and Order are accepted by the Commission for public comment.
5. In report described in Paragraph 4, the Proposed Respondent shall provide sufficient information and documentation to enable the Commission to determine independently whether the Proposed Respondent is in compliance with this Consent Agreement and the Order. All reports shall be verified by a notarized signature or sworn statement of the President or other officer or employee of Proposed Respondent, or self-verified in the manner set forth in 28 U.S.C. §1746. Section 2.41(a) of the Commission's Rules, 16 C.F.R. §2.41, requires that an original and two copies of all compliance reports be filed with the Commission. The Proposed Respondent shall file an original report and one copy with the Secretary of the Commission, and shall send at least one copy directly to the Bureau of Competition's Compliance Division.
6. This Consent Agreement, and any compliance reports filed pursuant to this Consent Agreement, shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this Consent Agreement is accepted by the Commission it, together with the draft of the Complaint contemplated thereby, will be placed on the public record for a period of thirty (30) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this Consent Agreement and so notify Proposed Respondent, in which event the Commission will take such action as it may consider appropriate, or issue and serve its Complaint (in such form as the circumstances may require) and Decision and Order, in disposition of the proceeding.
7. This Consent Agreement is for settlement purposes only and does not constitute an admission by Proposed Respondent that the law has been violated as alleged in the draft of the Complaint here attached, or that the facts as alleged in the draft the Complaint, other than jurisdictional facts, are true.
8. This Consent Agreement contemplates that, if it is accepted by the Commission, the Commission may (i) issue and serve its Complaint corresponding in form and substance with the draft of the Complaint here attached, and (ii) make information public with respect thereto. If such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, 16 C.F.R. § 2.34, the Commission may, without further notice to Proposed Respondent issue its attached Decision

and Order containing an order to cease and desist and providing for other relief in disposition of the proceeding.

9. When final and effective, the Decision and Order shall have the same force and effect and may be altered, modified, or set aside in the same manner and within the same time as provided by statute for other orders. The Decision and Order shall become final and effective upon service. Delivery of the Complaint and the Decision and Order to Proposed Respondent by any means provided in § 4.4(a) of the Commission's Rules, 16 C.F.R. § 4.4(a), including, but not limited to, delivery to an office within the United States of counsel for Proposed Respondent identified on this Consent Agreement, shall constitute service as to Proposed Respondent. Proposed Respondent waives any rights it may have to any other manner of service.
10. The Complaint may be used in construing the terms of the Decision and Order, and no agreement, understanding, representation, or interpretation not contained in the Decision and Order or the Consent Agreement may be used to vary or to contradict the terms of the Decision and Order.
11. By signing this Consent Agreement, Proposed Respondent represents and warrants that it can fulfill all the terms of and accomplish the full relief contemplated by the attached Decision and Order, and that all parents, subsidiaries, affiliates, and successors necessary to effectuate the full relief contemplated by this Consent Agreement and the attached Decision and Order are parties to, or within the control of parties to, this Consent Agreement and the attached Decision and Order.
12. Proposed Respondent has read the draft of the Complaint and the Decision and Order contemplated hereby. Proposed Respondent understands that once the Decision and Order has been issued, Proposed Respondent will be required to file one or more compliance reports setting forth in detail the manner in which it has complied, is complying, and will comply with the Decision and Order.
13. Proposed Respondent agrees to comply with the terms of the proposed Decision and Order from the date they sign this Consent Agreement. Proposed Respondent further understands that it may be liable for civil penalties in the amount provided by law for each violation of the Decision and Order after it becomes final and effective.

**COOPERATIVA DE MÉDICOS
OFTALMÓLOGOS DE PUERTO RICO**

By:
[CEO/President]

Dated: _____

Counsel for Cooperativa de Médicos
Oftalmólogos de Puerto Rico

FEDERAL TRADE COMMISSION

Attorney
Bureau of Competition

Approved:

Saralisa Brau
Deputy Assistant Director
Bureau of Competition

Markus H. Meier
Assistant Director
Bureau of Competition

Deborah L. Feinstein
Director
Bureau of Competition