

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

**COMMISSIONERS: Joseph J. Simons, Chairman
Noah Joshua Phillips
Rohit Chopra
Rebecca Kelly Slaughter
Christine S. Wilson**

In the Matter of

**Methodist Le Bonheur Healthcare
a corporation,**

and

**Tenet Healthcare Corporation,
a corporation.**

Docket No. 9396

PUBLIC

JOINT MOTION TO DISMISS COMPLAINT

Complaint Counsel and Respondents Methodist Le Bonheur Healthcare (“Methodist”) and Tenet Healthcare Corporation (“Tenet”) jointly move to dismiss the complaint in the above-captioned matter. On December 23, 2020, Respondents publicly announced that they are abandoning Methodist’s proposed acquisition of certain healthcare facilities, assets, and operating rights from Tenet and its subsidiaries. As set forth in the attached correspondence, Respondents have withdrawn their Hart-Scott-Rodino Notification and Report Forms filed for the proposed acquisition. The complaint is now moot.

Accordingly, Complaint Counsel and Respondents respectfully request that the Commission dismiss the complaint. A proposed order is attached.

Dated: December 23, 2020

Respectfully submitted,

/s/ Amy D. Ritchie

Amy D. Ritchie
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
Telephone: (202) 326-3456
Email: aritchie@ftc.gov

Attorney for Complaint Counsel

/s/ Norman Armstrong, Jr.

Norman Armstrong, Jr.
Jeffrey Spigel
Albert Kim
Meaghan Griffith
KING & SPALDING LLP
1700 Pennsylvania Avenue, NW, Suite 200
Washington, DC 20001
Telephone: (202) 737-0500
Email: narmstrong@kslaw.com
Email: jspigel@kslaw.com
Email: akim@kslaw.com
Email: mgriffith@kslaw.com

/s/ Matthew J. Reilly

Matthew J. Reilly
Richard H. Cunningham
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 389-5041
Email: matt.reilly@kirkland.com
Email: rich.cunningham@kirkland.com

/s/ Tammy T. Tsoumas

KIRKLAND & ELLIS LLP
2049 Century Park East, Suite 3700
Los Angeles, CA 90067
Telephone: (213) 680-8233
Email: tammy.tsoumas@kirkland.com

/s/ Brittany M. Lischinsky

KIRKLAND & ELLIS LLP
601 Lexington Ave.
New York, New York 10022-4611
Telephone: (212) 909-3024
Email: Brittany.lischinsky@kirkland.com

Attorneys for Respondent Tenet Healthcare Corporation

/s/ Tara L. Reinhart

Tara L. Reinhart

David P. Wales

Anisa A. Somani

SKADDEN ARPS SLATE MEAGHER &
FLOM LLP

1440 New York Ave. NW

Washington, DC 20005

Telephone: (202) 371-7000

Email: Tara.Reinhart@skadden.com

Email: David.Wales@skadden.com

Email: Anisa.Somani@skadden.com

/s/ Vic Domen

Vic Domen

Amanda Wait

NORTON ROSE FULBRIGHT US LLP

799 9th St NW

Suite 1000

Washington DC 20001

Telephone: (202) 662-4642

Email: Vic.domen@nortonrosefulbright.com

Email: Amanda.wait@nortonrosefulbright.com

*Attorneys for Respondent Methodist Le
Bonheur Healthcare*

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

**COMMISSIONERS: Joseph J. Simons, Chairman
Noah Joshua Phillips
Rohit Chopra
Rebecca Kelly Slaughter
Christine S. Wilson**

In the Matter of

**Methodist Le Bonheur Healthcare
a corporation,**

and

**Tenet Healthcare Corporation,
a corporation.**

Docket No. 9396

PUBLIC

[PROPOSED] ORDER DISMISSING COMPLAINT

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

The Joint Motion to Dismiss Complaint, dated December 23, 2020, is GRANTED; and

The complaint is dismissed without prejudice.

By the Commission.

Issued: _____

April J. Tabor
Acting Secretary

ATTACHMENTS



December 23, 2020

VIA ELECTRONIC DELIVERY

Premerger Notification Office
U.S. Federal Trade Commission
Constitution Center Building
5th Floor, Room 5301
400 7th Street, SW
Washington, DC 20024

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

Norton Rose Fulbright US LLP
799 9th Street NW
Suite 1000
Washington, DC 20001-4501
United States

Vic Domen
Partner
Direct line +1 202 662 4642
vic.domen@nortonrosefulbright.com

Tel +1 202 662 0200
Fax +1 202 662 4643
nortonrosefulbright.com

Re: Methodist Le Bonheur Healthcare / Tenet Healthcare/AMISUB (SFH), Inc.
FTC File no. 191-0189

Dear Sir or Madam:

Please be advised that pursuant to 16 C.F.R. § 803.12(a), Methodist Le Bonheur Healthcare withdraws the HSR Act Notification and Report Form it filed on January 10, 2020, and refiled on February 12, 2020, with respect to the above-referenced transaction, effective today.

Very truly yours,

A handwritten signature in blue ink that reads "VJD".

Victor J. Domen, Jr.

cc: Amy Ritchie, Mergers IV
David P. Wales

KING & SPALDING

King & Spalding LLP
1700 Pennsylvania Ave, NW
Suite 200
Washington, D.C. 20006-4707
Tel: +1 202 737 0500
Fax: +1 202 626 3737
www.kslaw.com

Norman Armstrong
Partner
Direct Dial: +1 202 626 8979
Direct Fax: +1 202 626 3737
narmstrong@kslaw.com

December 23, 2020

VIA EMAIL

Premerger Notification Office
U.S. Federal Trade Commission
Constitution Center Building
5th Floor Room 5301
400 7th Street, SW
Washington, D.C. 20024

Department of Justice
Antitrust Division
Premerger & Division Statistics
450 5th Street, N.W.
Suite 1100
Washington, D.C. 20530-001

Re: Methodist Le Bonheur Healthcare/Tenet Healthcare Corporation
FTC File No. 191-0189

Please be advised that pursuant to 16 C.F.R. § 803.12(a), Tenet Healthcare Corporation withdraws its HSR Act Notification and Report Form it filed on January 10, 2020, and refiled on February 12, 2020, with respect to the above-referenced transaction, effective today.

Respectfully submitted,
/S/ Norman Armstrong, Jr.
Norman Armstrong, Jr.

Cc: Amy Ritchie

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2020, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Acting 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:

Victor Domen, Esq.
Norton Rose Fulbright US LLP
799 9th Street NW
Suite 1000
Washington, DC 20001-4501
Telephone: (202) 662-4642
Email: vic.domen@nortonrosefulbright.com

Amanda Wait, Esq.
Norton Rose Fulbright US LLP
799 9th Street NW
Suite 1000
Washington, DC 20001-4501
Telephone: (202) 662-4550
Email: amanda.wait@nortonrosefulbright.com

Tara Reinhart, Esq.
Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates
1440 New York Avenue NW
Washington, DC 20005
Telephone: (202) 371-7630
Email: tara.reinhart@skadden.com

David Wales, Esq.
Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates
1440 New York Avenue NW
Washington, DC 20005

Telephone: (202) 371-7190
Email: david.wales@skadden.com

Counsel for Respondent Methodist Le Bonheur Healthcare

Matthew Reilly, Esq.
Kirkland & Ellis LLP
1301 Pennsylvania Avenue NW
Washington, DC 20004
Telephone: (202) 389-5041
Email: matt.reilly@kirkland.com

Norman Armstrong, Jr., Esq.
King & Spalding LLP
1700 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006-4707
Telephone: (202) 626-8979
Email: narmstrong@kslaw.com

Richard Cunningham, Esq.
Kirkland & Ellis LLP
1301 Pennsylvania Avenue NW
Washington, DC 20004
Telephone: (202) 389-3119
Email: richard.cunningham@kirkland.com

Jeffrey Spigel, Esq.
King & Spalding LLP
1700 Pennsylvania Avenue NW
Suite 200
Washington, DC 20006-4707
Telephone: (202) 626-2626
Email: jspigel@kslaw.com

Counsel for Respondent Tenet Healthcare Corporation

By: s/ Amy D. Ritchie
Amy D. Ritchie

Counsel Supporting the Complaint

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 23, 2020

By: s/ Amy D. Ritchie
Amy D. Ritchie