

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

U.S. ANESTHESIA PARTNERS, INC. et al.

Defendants.

Case No.: 4:23-CV-03560-KH

**JOINT MOTION TO STAY LITIGATION**

Plaintiff Federal Trade Commission (“FTC”) and Defendant U.S. Anesthesia Partners, Inc. (“USAP”) jointly submit this motion requesting that the Court stay or suspend all proceedings and deadlines in the above-captioned matter for 180 days. In support of this motion, the Parties submit as follows:

1. On September 21, 2023, the Federal Trade Commission filed a complaint against U.S. Anesthesia Partners, Inc., alleging that USAP violated federal antitrust laws by engaging in a multi-year anticompetitive scheme to consolidate anesthesia services in Texas. USAP denied the allegations.

2. On May 13, 2024, the Court denied USAP’s motion to dismiss. Mem. Op. & Order, Dkt. No. 149. The FTC and USAP have since completed fact and expert discovery. On February 10, 2026, USAP filed a motion for summary judgment. The FTC filed its opposition on March 27, 2026. The Court has scheduled an in-person conference on April 27, 2026, “for the purpose of exploring the most expeditious, cost effective, and judicious use of the Court’s time

for resolving this case.” Order, Dkt. No. 334. Docket call is set for June 1, 2026. Third Am. Sch. Order, Dkt. No. 317.

3. The Parties have agreed to resolve the FTC’s claims against USAP and have entered into a binding term sheet that will take 180 days to implement.

4. The Parties respectfully request that the Court vacate the scheduling order (Dkt. No. 317) and stay all proceedings for 180 days while the Parties work to implement the agreement.

5. The Parties will provide a status update to the Court ten (10) days prior to the expiration of any stay if the Parties have not filed a proposed final order resolving the case prior to that time. If USAP is unable to implement certain specified relief, under the binding term sheet the FTC may terminate the settlement and resume litigation.

6. The Parties consent to the administrative termination of USAP’s pending summary judgment motion. If the settlement is terminated, USAP shall have leave to refile, within 3 business days of the Parties informing the Court of the termination, its already-filed summary judgment motion (Dkt. Nos. 302, 303); the FTC shall have leave to refile, within 2 business days of USAP’s filing, its already-filed opposition (Dkt. Nos. 327, 331), and USAP shall have leave to file a 15-page reply brief within 21 days after USAP refiles its summary judgment motion.

7. The requested stay will not prejudice any Party and will serve the interests of judicial economy and efficiency.

Based on the foregoing, the Parties respectfully request that the Court enter an order staying the above-captioned matter for a period of 180 days and terminating the pending summary judgment motion with leave to refile.

Dated: April 23, 2026

/s/ Kara Monahan

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Respectfully submitted,

/s/ Mark C. Hansen

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 23, 2026, I filed the foregoing document with the Court and served it on opposing counsel through the Court's CM/ECF system. All counsel of record are registered ECF users.

Respectfully submitted,

*/s/ Kara Monahan*

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Kara Monahan