

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Andrew N. Ferguson, Chairman
Mark R. Meador

In the Matter of

Caremark Rx, LLC,
Zinc Health Services, LLC,
Express Scripts, Inc.,
Evernorth Health, Inc.,
Medco Health Services, Inc.,
Ascent Health Services LLC,
OptumRx, Inc.,
OptumRx Holdings, LLC, and
Emisar Pharma Services LLC,
Respondents.

Docket No. 9437

**ORDER WITHDRAWING MATTER FROM ADJUDICATION
PURSUANT TO RULE 3.25(C) WITH RESPECT TO ESI RESPONDENTS**

Complaint Counsel and Respondents Express Scripts, Inc., Evernorth Health, Inc., Medco Health Services, Inc., and Ascent Health Services, LLC (collectively, the “ESI Respondents”), having moved jointly to withdraw the matter from adjudication with respect to the ESI Respondents for the purpose of considering a proposed consent agreement; and

Complaint Counsel and the ESI Respondents, having submitted a proposed consent agreement containing a proposed decision and order, executed by the ESI Respondents and by Complaint Counsel and approved by the Directors of the Bureaus of Competition and Consumer Protection that, if accepted by the Commission, would resolve the claims against the ESI Respondents in their entirety (“Consent Agreement”);

IT IS ORDERED, pursuant to Rule 3.25(c) of the Commission’s Rules of Practice, 16 C.F.R. § 3.25(c), that -- with respect to the ESI Respondents -- this matter be, and hereby is,

withdrawn from adjudication and that all proceedings against the ESI Respondents before the Administrative Law Judge be, and hereby are, stayed, pending a determination by the Commission with respect to the proposed Consent Agreement, pursuant to Rule 3.25(f) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(f); and

IT IS FURTHER ORDERED, pursuant to Rule 3.25(b) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(b), that the proposed Consent Agreement shall not be placed on the public record unless and until it is accepted by the Commission; and

IT IS FURTHER ORDERED, pursuant to Rule 3.25(e) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(e), that this matter shall remain in adjudicative status with respect to Respondents Caremark Rx, LLC, Zinc Health Services, LLC, OptumRx, Inc., OptumRx Holdings, LLC, and Emisar Pharma Services LLC.

By the Commission.

April J. Tabor
Secretary

SEAL
ISSUED: January 20, 2026

