



Office of Commissioner
Rebecca Kelly Slaughter

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Dissenting Statement of Commissioner Rebecca Kelly Slaughter
Regarding Gateway Pet Memorial Services/West Coast
Matter Number: 2210170
September 4, 2025

Today the Commission voted to approve a consent order for public comment against Gateway Services, Inc. and Gateway US Holdings, Inc. (collectively, “Gateway Services”) that bans the pet crematorium firm from using noncompete clauses in its employment agreements. This order is fine as far as it goes; noncompete clauses are indeed pernicious and, as alleged in the Commission’s complaint, the investigation revealed substantial evidence that Gateway has been employing them aggressively to insulate itself from competition. That sort of conduct fits squarely within the law’s prohibitions, and should be stopped. And I commend the hardworking staff for their thorough investigation into Gateway’s use of noncompetes.

However, I vote no, not because of what is in the order, but because of what is not. This settlement does nothing to address the structural problems in the underlying market. Gateway is a private-equity owned network of pet crematoria,¹ which describes itself as the “largest pet aftercare provider in North America.”² Its self-described “focus is to acquire and partner with like-minded, leading pet aftercare companies across all of North America.”³ In other words, Gateway rolls up smaller providers. And with fewer pet aftercare competitors, Gateway is able to exert more control over the options and prices pet owners pay for services in their time of need; and over the employment options, pay, and working conditions available to workers.

That underlying market structure is part of what enables Gateway to execute the noncompete strategy described in the Commission’s complaint. But the Commission’s order does nothing to address or unwind it. Without touching the structural issues in the market, a non-compete remedy, however meaningful, will not successfully protect consumers or workers in the pet aftercare market.

Finally, while I am glad to see the Commission has not entirely abandoned the important work on noncompetes that began under Chair Khan’s leadership,⁴ I would be remiss if I did not point out, as I have for years, that one-off enforcement is no substitute for the FTC’s meaningful, marketwide noncompete rule that will protect workers across the country.⁵ That rule, which received thousands of public comments in support and is currently being challenged in several separate cases, deserves the Commission’s full-throated defense in the courts.

¹ See IMPERIAL CAPITAL, <https://www.imperialcap.com/investments/gateway> (last visited Sept. 4, 2025).

² GATEWAY SERVICES, INC., <https://www.gatewayservicesinc.com/> (last visited Sept. 4, 2025).

³ *Id.*

⁴ See, e.g., Press Release, Fed. Trade Comm’n, FTC Announces Rule Banning Noncompetes, <https://www.ftc.gov/news-events/news/press-releases/2024/04/ftc-announces-rule-banning-noncompetes>.

⁵ See, e.g., Statement of Chair Lina M. Khan Joined by Comm’r Rebecca Kelly Slaughter and Comm’r Alvaro M. Bedoya (Dec. 31, 2024) at 11.