TABLE OF AUTHORITIES

CASES

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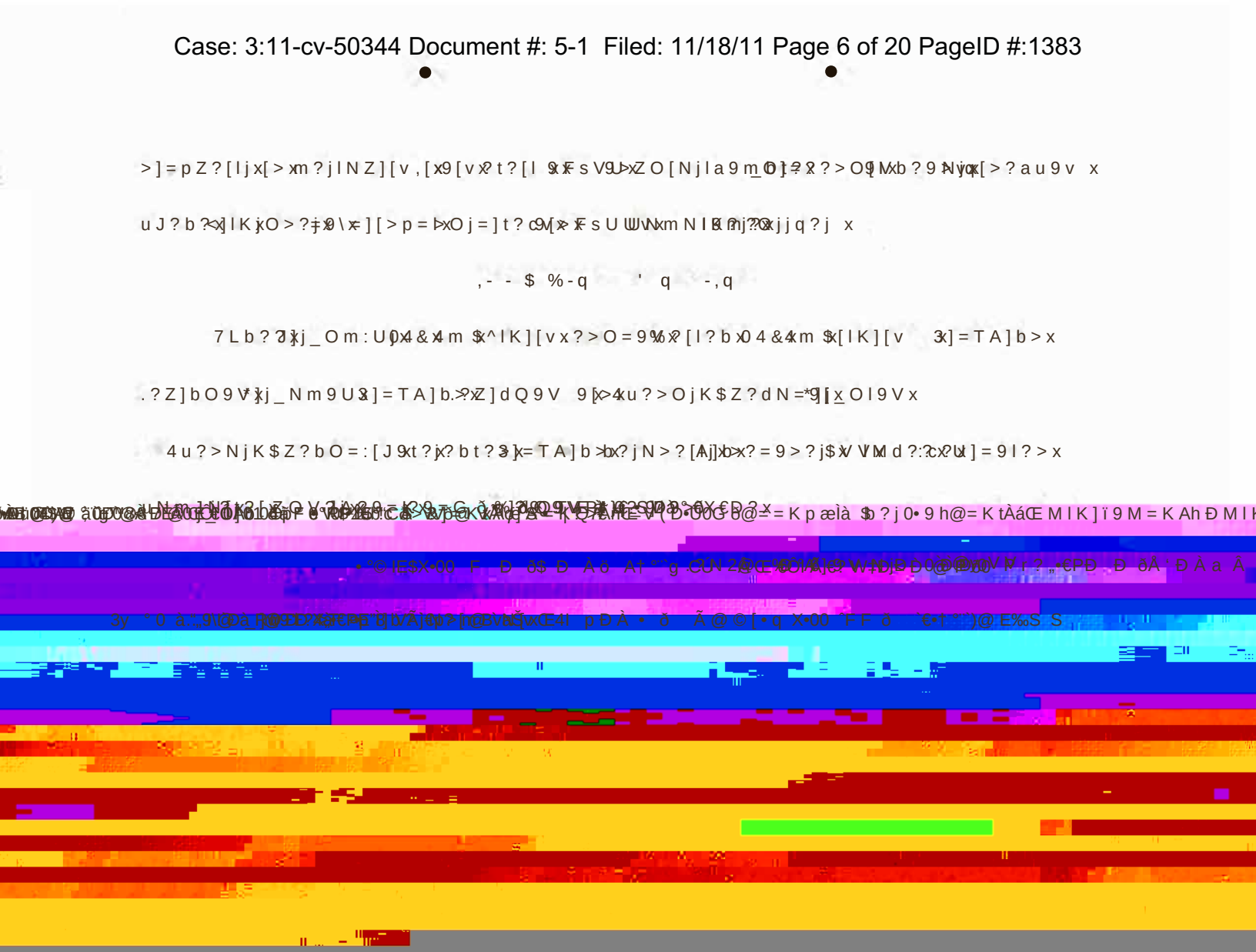
The Federal Trade Commission ("FTC" or "Commission") seeks temporary and preliminary relief to enjoin OSF Healthcare System's ("OSF") proposed acquisition of Rockford Health System ("RHS") ("the Acquisition"). OSF's purchase of close competitor RHS would create a duopoly controlling critical health care services in Rockford, Illinois. If not stopped, the Acquisition threatens to reduce health care quality, and burden patients with higher costs when many %9 struggling financially. Importantly, Defendants pursued this transaction as a "defens[e] against competitive threats" and "to avert an accelerating medical anns race" - thinly-veiled code for ending competition that benefitted the community for decades.[1]

The matter is hardly one of first impression. This Court already ruled that a nearly identical merger between RHS and the third Rockford hospital, Swedish American Hospital, violated federal antitrust laws because it would "hurt consumers."[2] After a full merits trial, this Court pennanently enjoined that merger, and the Seventh Circuit Ro u r t



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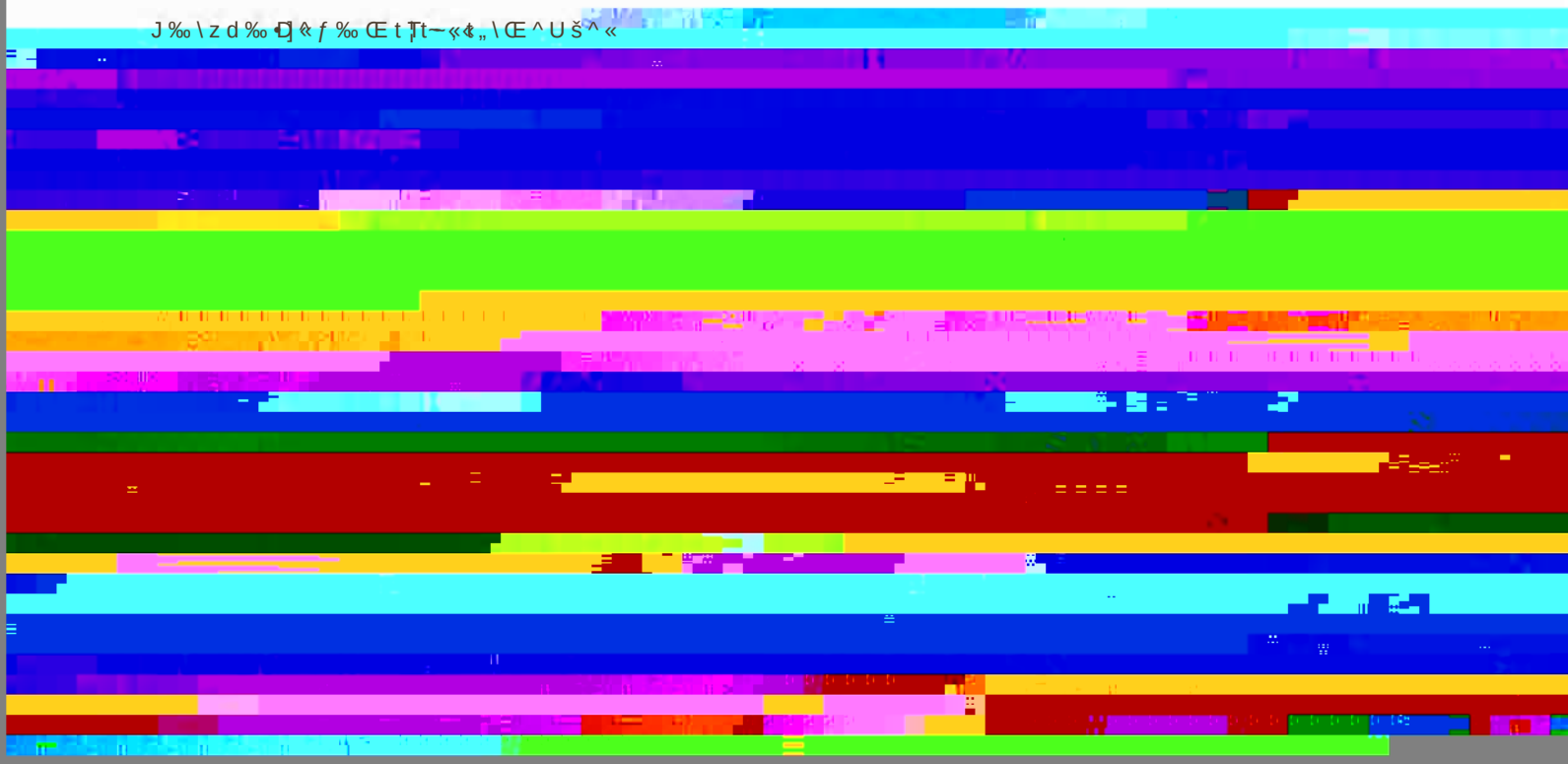

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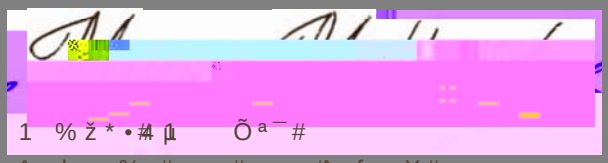

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