

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

investigation examined all of the markets in which the
Office of the Director of Enforcement and Compliance Policy
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transaction was likely to have a competitive impact, including the area surrounding Uniontown, Pennsylvania. Because that market is highly concentrated and the parties taken together account for a large portion of that market, the proposed consent order requires the Respondent Fresenius to divest the RAI Dialysis Center to Dialysis Newco, Inc. The proposed consent also prohibits Fresenius from acquiring any financial interest in a dialysis center located within certain defined areas for five years but does not prohibit Fresenius from lawfully competing with dialysis centers in any market, including by opening new clinics. In light of these considerations, among others, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form. A copy of the final Decision and Order is enclosed for your information. Relevant materials also are available from the Commission's website at <http://www.ftc.gov>.

It helps the Commission's analysis to hear from a variety of sources in its work on antitrust and consumer protection issues, and we appreciate your interest in this