

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Jon Leibowitz, Chairman
J. Thomas Rosb
Edith Ramirez
Julie Brill
Maureen K. Ohlhausen

_____)
In the Matter of)

¹ See Joint Motion To Dismiss Complaint (November 30, 2012) at <http://www.ftc.gov/os/adjpro/d9353/121130jointbdismsscmplt.pdf>.

administrative litigation.² In particular, Respondents have abandoned the proposed acquisition and have bound themselves to provide no notice in the future, rendering them unable to effect the proposed transaction without first providing 30 day notice to Commission staff.

For the foregoing reasons, the Commission has determined that the public interest warrants dismissal of the Administrative Complaint in this matter. The Commission has determined to do so without prejudice, however, because it is not reaching a decision on the merits. Accordingly,

IT IS ORDERED THAT the Administrative Complaint in this matter be, and it hereby is, dismissed without prejudice

By the Commission, Commissioner Rosch abstaining.

Donald S. Clark
Secretary

SEAL
ISSUED: December 7, 2012

² See, e.g., In the Matter of Omnicare, Inc, Docket No. 9352 Order Dismissing Complaint (February 22, 2012) at <http://www.ftc.gov/os/adjpro/d9352/120223omnicare.pdf> In the Matter of Thoratec Corporation and HeartWare International, Inc., Docket No. 9339 Order Dismissing Complaint (August 11, 2009) at <http://www.ftc.gov/os/adjpro/d9339/090811thoratec.pdf>.