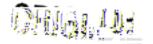
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in this matter/hich will significantly impact, and veay completely moot

Commission Act, 15 U.S.C. § 53(b), and Section 16 of the Clayton Act, 15 U.S.C. § 26, seekir a temporary straining order and preliminary injunctioning them energy that is the subject of this administrative proceeding until final resolution of the merits in the subject of this administrative proceeding until final resolution of the merits in the subject of this administrative proceeding until final resolution of the merits in the subject of this administrative proceeding until final resolution of the merits in the subject of this administrative proceeding.

TempRestraining Order and Preliminary Injunction Pursualitation (N.D. III. Dec. 21, 2016). The preliminary injunction hearing is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin on April 6, 2016 and run for nonconsecutive trial days, concluding is scheduled to begin

The administrative hearing,)Tj [(C)-3(i)-2(vi)-2(l)004 Twf 7 tmpli04 2ril2C

ARGUMENT

I. The Administrative Proceeding Should Stayeds t is Likely to B Mooted By the Federal Action

Based on the schedules in the respective actions, the decisional inaction is expected to be issued dorring mediately following the hearing in the administrative action and most the administrative hearing in this term is set to begin on May 24, 2016, and a decision from the Federal Action is expected in approximately early early

The FTC Rules of Practice allow the Commission to stay proceedings for good cause, pending **b**.S. Dis**t**ict **©**urt proceeding.

the Countould have good cause to issue a temporary stay, which will not possible the and will serve the interests of justice.

In the event that the Disorict Cenies the spreliminary injunction for spreading administrative required to assess, on abytesse basis, whether to move forward with its administrative action. See Statement of the Federal Trade Commission Policy Regarding Administrative Merger Litigation Following Denial of a Preliminary Injunction, 160 Fed. Reg. 39,741, 39,743 (1995) In nearly every easince 1995 where tridtourt refused to issue a preliminary injunction, the FTC has subsequently abandone administrative complaint. See, e.g., In Steris Corp., Docket No. 9365, Order

Commission Rule 3.26 re: Part 3 proceedings following federal court denial of a preliminary injunction, Federal Trade Commissions://www.ftc.gov/newnts/blogs/competition

matters/2015/03/chammesissionule326re-part3-proceeding(Mar. 16, 2015). Second,

Respondents may move to dismiss the administrative complaint, autimmathicatelysetay until the Commission rules on the motion. See 16 C.F.R. In 3:1216(d) case, if

Respondents prevail in the Federal Action, it is highly unlikely that this proceeding will contitotrial.

In the event that the Disorict Grantspreliminary injuction, private litigants often similarly revaluate whether to proceeds as videnced by the numbers point dents who have abandoned

UNITED STATES OF AME RICA BEFORE THE FEDERAL TRADE COMMISSION OFFICE OF THE ADMINISTRATIVE LAW J UDGES

In the Matter of)	Docket No. 9369
Advocate Health Care Network, a corporation;))	
Advocate Health and Hospitals Corpora a corporation;	tion,)	PUBLIC DOCUMENT
and)	
NorthShore University HealthSystem a corporation.) '))	

[PROPOSED] ORDER STAYING ADMINISTRATIVE HEARING

This matter having come beforehithfie Administrative Law Judgenthe motion of Respondents to stay administrative hearing aving considered the positions of all interesting in the positions of all interesting in the position of all interesting in the STAYED until 60 days after tryof a ruling on the Commission's complaint for preliminary injunctive relief

CERTIFICATE OF SERVICE

I hereby certify that on Feb (54.42)016, I caused a true and accurate copy of the foregoing to be served electronically through the lift (Cs) setem and on Febr (5ar2)016, I caused a true and accurate copy of the foregoing to be served as follows:

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Charles Lougin, Esq.
Sean P. Pugh, Esq.
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, D.C. 20580
Telephone: (202) 321696

Facsimile: (202) 32286 Email: tgreene2@ftc.gov Email: cloughlin@ftc.gov Email: spugh@ftgov

Counsel for Complainant Federal Trade Commission

The Honorable D. Michael Chappe Chief Administrative Law Judge 600 Pennsylvania Ave., NW RM. H-110 Washington, DC 20580

s/Laurie T. Curnes

Laurie T. Curnes

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true a correct copy of the paper original and that I possess a paper original of the signed documents available for review by the parties and delibetor.

Dated:February5, 2016	_s/Laurie T. Curn <u>es</u>		
3			
	Laurie T. Curnes		

Notice of Electronic Service

I hereby certify that on February 05, 2016, I filed an electronic copy of the foregoing Respondents' Motion to Stay the Administrative Hearing, with:

D. Michael Chappell Chief Administrative Law Judge 600 Pennsylvania Ave., NW Suite 110 Washington, DC, 20580

Donald Clark 600 Pennsylvania Ave., NW Suite 172 Washington, DC, 20580

I hereby certify that on February 05, 2016, I served via E-Service an electronic copy of the foregoing Respondents' Motion to Stay the Administrative Hearing, upon:

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