

Appendix A: Merger Enforcement (Jun. 2021 – Present)

Challenged Mergers: 10

Abandoned Mergers: 19 (14 during investigation / 5 post-complaint) (6 non-public)

Consent Orders: 16 (14 with divestitures)

Litigation Ongoing: 2

Loss: 1

Total: 38

No.	Date	Parties	Result	Fed. Ct.	Admin.	Industry
1	Jul. 2021	Berkshire Hathaway Energy Company / Dominion Energy	Abandoned during investigation			

No.	Date	Parties	Result	Fed. Ct.	Admin.	Industry
				D.R.I.	X	Healthcare
11	Mar. 2022	EnCap Energy Capital Fund XI, L.P. / EP Energy Corp.	Consent order and divestiture ¹⁰			Energy
12	Apr. 2022	Hikma Pharmaceuticals PLC / Custopharm, Inc.	Consent order ¹¹			Healthcare
13	Apr. 2022	Prince International Corporation / Ferro Corporation	Consent order and divestiture ¹²			Chemicals
14	May 2022	Medtronic, Inc. / Intersect ENT, Inc.	Consent order and divestiture ¹³			Healthcare
15	Jun. 2022	RWJBarnabas Health / Saint Peter's Healthcare System	Abandoned post-complaint ¹⁴	D.N.J.	X	Healthcare
16	Jun. 2022	HCA Healthcare, Inc. / Steward Health Care System, LLC	Abandoned post-complaint	D. Ut.	X	Healthcare
17	Jun. 2022	Buckeye Partners, L.P. / Magellan Midstream Partners, L.P.	Consent order and divestiture ¹⁵			Energy
18	Jun. 2022	JAB Consumer Partners SCA SICAR / SAGE Veterinary Partners, LLC	Consent order and divestiture ¹⁶			Healthcare
19	Jun. 2022	ARKO / Corrigan O Tj artners, impanyTJ 0 Tc 52.0215357	Consent order and divestiture			

No.	Date	Parties	Result			
27	Feb. 2023	SUNY Upstate Medical University / Crouse Health System, Inc.	Abandoned during investigation ²⁴			
		Infineum USA L.P. / Entegris, Inc.				
		[REDACTED]				
		[REDACTED]				
		[REDACTED]				

¹ Press Release, Fed. Trade Comm'n, Statement Regarding Berkshire Hathaway Energy's Termination of Acquisition of Dominion Energy Inc.'s Questar Pipeline in Central Utah (July 13, 2021), <https://www.ftc.gov/news-events/news/press-releases/2021/07/statement-regarding-berkshire-hathaway-energys-termination-acquisition-dominion-energy-incs-questar>.

² Press Release, Fed. Trade Comm'n, FTC Imposes Strict Limits on Davita, Inc.'s Future Mergers Following Proposed Acquisition of Utah Dialysis Clinics (Oct. 25, 2021), <https://www.ftc.gov/news-events/news/press-releases/2021/10/ftc-imposes-strict-limits-davita-incs-future-mergers-following-proposed-acquisition>

¹² Press Release, Fed. Trade Comm'n, Federal Trade Commission Preserves Competition for Development and Marketing of Steroid Injectable Drug (Apr. 19, 2022), <https://www.ftc.gov/news-events/news/press-releases/2022/04/federal-trade-commission-preserves-competition-development-marketing-steroid-injectable-drug>.

¹³ Press Release, Fed. Trade Comm'n, FTC Requires Prince and Ferro to Sell Off Three Facilities Amid Concerns that Deal Would Increase Concentration in North American Market for Porcelain Enamels (Apr. 21, 2022), <https://www.ftc.gov/news-events/news/press-releases/2022/04/ftc-requires-prince-ferro-sell-three-facilities-amid-concerns-deal-would-increase-concentration>.

¹⁴ Press Release, Fed. Trade Comm'n, FTC Acts

