

IN THE MATTER OF
MASSACHUSETTS FURNITURE AND PIANO MOVERS
ASSOCIATION, INC.

DISMISSAL ORDER IN REGARD TO ALLEGED VIOLATION OF SEC. 5 OF THE
FEDERAL TRADE COMMISSION ACT

Docket 9137. Final Order, Sept. 28, 1983—Dismissal Order, March 19, 1986

ORDER OF DISMISSAL

The Commission has determined that the continued prosecution of this case is no longer in the public interest. Accordingly,
It is ordered, That the complaint be and hereby is dismissed.
Commissioner Strenio did not participate.

IN THE MATTER OF

AMERICAN MEDICAL INTERNATIONAL, INC., ET AL.

MODIFYING ORDER IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND CLAYTON ACTS

Docket 9158. Final Order, July 2, 1984—Modifying Order, March 21, 1986

The Federal Trade Commission has modified, for the second time, a 1984 divestiture order with American Medical International, Inc. (104 F.T.C. 1). After first modifying the original order specifying the divestiture required (104 F.T.C. 617 (1984)), the Commission has further modified the order to allow respondent to divest French Hospital in San Luis Obispo, Calif., to Summit Health Ltd. The current modified order allows respondent to retain a security interest in French Hospital until Summit finishes payment, and retain the stock of French Hospital Corp.

ORDER MODIFYING MODIFIED ORDER TO CEASE AND DESIST

On November 9, 1984, the Commission issued its modified order in this matter requiring, *inter alia*, that respondent American Medical International, Inc. ("AMI") "divest, absolutely and in good faith, all stock, assets, properties, licenses, leases, and other rights and privileges, tangible and intangible, that AMI acquired from Central Coast Hospital Company, French Hospital Corporation and French Medical Clinic, Inc., together with any subsequent improvements." Pursuant to the terms of Paragraph II of the order, AMI submitted an application requesting prior Commission approval of AMI's divestiture of French Hospital Corporation to Summit Health Ltd. ("Summit"). The application was placed on the public record for thirty days in accordance with Section 2.41 of the Commission's Rules of Practice, and no public comments were received.

Although the proposed divestiture appeared consistent with the order's express objective of "establish[ing] French Hospital as a viable competitor in San Luis Obispo County", the agreement entered into between AMI and Summit varied from the provisions of Paragraph II of the order in certain respects. Specifically, the agreement granted AMI a security interest in the assets to be divested and an accompanying right to repossess the assets. In addition, the agreement did not provide for the transfer of the stock of French Hospital Corporation or of the data processing equipment installed by AMI at the hospital. Because it appeared that the public interest would be served by modifying the order to allow the proposed divestiture to go forward, on March 6, 1986, the Commission issued its Order To Show Cause Why Order Requiring Divestiture Should Not Be Modified ("order to show