

Interlocutory Orders, Etc.

IN THE MATTER OF

**CCC HOLDINGS INC.,
AND
AURORA EQUITY PARTNERS III L.P.***Docket No. 9334 Order March 13, 2009*

Order granting complaint counsel's and respondents' joint motion to dismiss
the complaint.

ORDER DISMISSING COMPLAINT

On November 25, 2008, the Federal Trade Commission issued the Administrative Complaint in this matter, having reason to believe that Respondents CCC Holdings Inc. ("CCC") and Aurora Equity Partners III L.P. ("Aurora") had entered into a merger agreement which, if consummated, would violate Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. § 45, and Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18. Complaint Counsel and Respondents have now filed a Joint Motion to Dismiss Complaint in this matter. The Joint Motion states that Respondents have informed Complaint Counsel that they are abandoning the proposed merger; that CCC and Aurora have withdrawn their Hart-Scott-Rodino Notification and Report Forms filed for the proposed transaction; and that the complaint is now moot.¹

The Commission has determined to dismiss the Administrative Complaint without prejudice, as the most important elements of the relief set out in the Notice of Contemplated Relief in the Administrative Complaint have been accomplished without the need

¹ *Joint Motion to Dismiss Complaint* (March 12, 2009), available on the *Adjudicative Proceedings* page for this case at <http://www.ftc.gov/os/adjpro/d9334/index.shtm>.

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for further administrative litigation.² In particular, Respondents have announced that they have decided not to proceed with the proposed merger, and both CCC and Aurora have withdrawn the Hart-Scott-Rodino Notification and Report Forms they respectively filed for the proposed transaction. As a consequence, Respondents would not be able to effect the proposed transaction without filing new Hart-Scott-Rodino Notification and Report Forms.

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; and

IT IS FURTHER ORDERED THAT the Joint Motion To Amend the Hearing Date filed by Complaint Counsel and Respondents on March 9, 2009, and certified to the Commission by Administrative Law Judge Chappell, be, and it hereby is, denied as moot.

By the Commission, Commissioner Rosch recused.

² See *In the Matter of Inova Health System Foundation, and Prince William Health System, Inc.*, Docket No. 9326, Order Dismissing Complaint (June 17, 2008), available at <http://www.ftc.gov/os/adjpro/d9326/080617orderdismisscmpt.pdf>; accord, *In the Matter of CRH plc, et al.*, Docket No. 9335, Order Dismissing Complaint (January 29, 2009), available at <http://www.ftc.gov/os/adjpro/d9335/index.shtm>; *In the Matter of Red Sky Holdings LP, et al.*, Docket No. 9333, Order Dismissing Complaint (December 10, 2008), available at <http://www.ftc.gov/os/adjpro/d9333/081210redskycmpt.pdf>; *In the Matter of Equitable Resources, Inc., et al.*, Docket No. 9322, Order Dismissing Complaint (January 31, 2008) (Public Version), available at <http://www.ftc.gov/os/adjpro/d9322/080204complaint.pdf>.

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IN THE MATTER OF

RAMBUS INCORPORATED

Docket No. 9302 Order, May 12, 2009

Order to return the matter to adjudication and dismiss the complaint.

**ORDER RETURNING MATTER TO ADJUDICATION AND
DISMISSING COMPLAINT**

On March 6, 2009, the Commission issued an Order granting Complaint Counsel's unopposed motion to withdraw this matter from adjudication – and suspending the application of Rule 4.7, 16 C.F.R. § 4.7 – for the purpose of considering the proper resolution of this matter in light of the mandate of the United States Court of Appeals for the District of Columbia Circuit. The Commission finds that further litigation in this matter would not be in the public interest. Accordingly,

IT IS ORDERED that this matter be, and it hereby is, returned to adjudication; and

IT IS FURTHER ORDERED that the complaint in this matter be, and it hereby is, dismissed.

By the Commission.