

Interlocutory Orders, Etc.

IN THE MATTER OF

**ADVOCATE HEALTH CARE NETWORK,
ADVOCATE HEALTH AND HOSPITALS
CORPORATION,
AND
NORTHSHORE UNIVERSITY HEALTHSYSTEM**

Docket No. 9369. Order, October 14, 2016

Order granting a joint motion seeking to continue the administrative hearing for one week.

ORDER GRANTING CONTINUANCE

On September 27, 2016, the Court of Appeals for the Third Circuit issued its Opinion and Judgment directing the District Court for the Middle District of Pennsylvania to preliminarily enjoin the merger between Penn State Hershey Medical Center and PinnacleHealth System, pending the outcome of this administrative proceeding.¹ In light of prior Commission orders, the administrative hearing was therefore scheduled to commence on October 18.

Complaint Counsel and Respondents now request that the Commission continue the administrative hearing for one week and grant a corresponding extension of all pre-hearing deadlines.² Hershey represents that it needs additional time to allow its board of directors to determine whether to continue pursuing the merger following the Third Circuit's ruling. The parties state that a one-week continuance will give Respondents sufficient time to finalize their decision and may obviate the expenditure of unnecessary resources in preparation for the hearing in this matter, without imposing any countervailing harms.

¹ *Fed. Trade Comm'n v. Penn State Hershey Med. Ctr.*, --- F.3d ---, 2016 WL 5389289 (3d Cir. Sept. 27, 2016), at <https://www.ftc.gov/system/files/documents/cases/160927pinnacledecision.pdf>.

² *Penn State Hershey Med. Ctr.*, Docket No. 9368, Joint Expedited Motion for Continuance of the Administrative Hearing (Oct. 11, 2016).

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In light of the foregoing, we find that there is good cause to grant the requested continuance. Accordingly,

IT IS HEREBY ORDERED that the evidentiary hearing shall commence on October 25, 2016, and that all pre-hearing deadlines shall be extended until October 24, 2016.

By the Commission.

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IN THE MATTER OF

HEIDELBERGCEMENT AG
AND
ITALCEMENTI S.P.A

Docket No. C-4579. Order, November 15, 2016

Letter approving the divestiture of the Martinsburg Cement Business to Argos USA LLC, a subsidiary of Cementos Argos S.A.

LETTER ORDER APPROVING DIVESTITURE OF CERTAIN ASSETS

David P. Wales, Esq.
Jones Day

*Re: In the Matter of HeidelbergCement AG and Italcementi S.p.A.,
Docket No. C-4579*

Dear Mr. Wales:

This letter responds to the Application For Approval Of Divestiture Of Martinsburg (“Divestiture Application”) filed by Respondents HeidelbergCement AG and Italcementi S.p.A. on September 18, 2016. The Divestiture Application requests that the Federal Trade Commission approve, pursuant to the Order in this matter, Respondents’ proposed divestiture of the Martinsburg Cement Business to Argos USA LLC. The Application was placed on the public record for comments until October 24, 2016. No comments were received.

After consideration of the proposed divestiture as set forth in Respondents’ Divestiture Application, as well as other available information, the Commission has determined to approve the proposed divestiture. In according its approval, the Commission has relied upon the information submitted and representations made in connection with Respondents’ Divestiture Application and has assumed them to be accurate and complete.

By direction of the Commission.