

Interlocutory Orders, Etc.

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.

Interlocutory Orders, Etc,

IN THE MATTER OF

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

Docket No. 9369. Order, November 15, 2016

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

ORDER GRANTING CONTINUANCE

On October 31, 2016, the Court of Appeals for the Seventh Circuit reversed the denial of the Commission's motion for a preliminary injunction by the U.S. District Court for the Northern District of Illinois. The Seventh Circuit's injunction preventing Respondents from merging pending the District Court's reconsideration of the preliminary injunction motion remains in place.¹ The administrative hearing is currently scheduled to begin on November 21, 2016.²

Complaint Counsel and Respondents jointly request that the Commission continue the administrative hearing and grant an extension of all pre-hearing deadlines.³ The parties state that the requested continuance will both ease the burden on third parties and expert witnesses to prepare for the administrative hearing and

1 *Fed. Trade Comm'n v. Advocate Health Care Network*, ___ F.3d ___ 7th Cir. (October 31, 2016), at https://www.ftc.gov/system/files/documents/cases/161101advocate_ca7_opinion.pdf (Opinion); Final Judgment at https://www.ftc.gov/system/files/documents/cases/161101advocate_judgment.pdf.

2 *See Advocate Health Care Network*, Docket No. 9369, Order Granting Continuance (June 28, 2016), at <https://www.ftc.gov/system/files/documents/cases/160628advhcnorder.pdf>.

3 *Advocate Health Care Network*, Docket No. 9369, Joint Expedited Motion for Continuance of Administrative Proceedings (Nov. 10, 2016), at https://www.ftc.gov/system/files/documents/cases/161115_d09369_joint_expedited_motion_administrative_proceedings.pdf.