# **ORIGINAL**



### UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

**COMMISSIONERS:** 

William E. Kovacic, Chairman

Pamela Jones Harbour

Jon Leibowitz

In the matter of

Inova Health System Foundation,
a corporation, and

Prince William Health System, Inc.,
a corporation.

PUBLIC

#### **JOINT MOTION TO DISMISS COMPLAINT**

Complaint Counsel and Respondents jointly move to dismiss the complaint in the above-captioned matter. On June 6, 2008, Respondents publicly announced that they are abandoning the proposed merger between Inova Health System Foundation ("Inova") and Prince William Health System, Inc ("PWHS"). As set forth in the attached letter, Inova and PWHS have withdrawn each of their Hart-Scott-Rodino Notification and Report Forms filed for the proposed transaction. The complaint is now moot.

Accordingly, the parties respectfully request that the Commission dismiss the complaint.

A proposed order is attached.

Respectfully submitted,

norman anntag J.

Matthew J. Reilly
Norman Armstrong
Federal Trade Commission
601 New Jersey Ave., N.W.
Washington, D.C. 20580
(202) 326-2072
Complaint Counsel

Deborah Feinstein

David P. Gersch

Arnold & Porter LLP

555 Twelfth Street, N.W.

Washington, DC 20004

Counsel for Inova Health System

Debash of First

Foundation and Prince William

Health System, Inc.

Dated:

June 11, 2008

# ARNOLD & PORTER LLP

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June 11, 2008

#### VIA HAND DELIVERY

Premerger Notification Office Bureau of Competition Federal Trade Commission 600 Pennsylvania Avenue, NW Room 303 Washington, DC 20580

Director of Operations and Merger Enforcement Antitrust Division U.S. Department of Justice 950 Pennsylvania Avenue, NW Room 3335 Washington, DC 20530

Re: Inova Health System/Prince William Health System

To Whom it May Concern:

Please be advised that Inova Health System Foundation and Prince William Health System, Inc. hereby withdraw their notifications pursuant to the Hart-Scott-Rodino Act.

Sincerely,

Deborah L. Feinstein

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cc: Albert Kim

## UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS:	William E. Kova Pamela Jones Ha Jon Leibowitz			
In the matter of	)			
Inova Health System Foundation, and	dation,	Docket No. 932	6	
Prince William Health Syst a corporation.	tem, Inc., )			
[PROP	'OSED] ORDER I	DISMISSING COM	<u>PLAINT</u>	
This matter comes be	fore the Commissi	on on Complaint Cou	insel's and Responden	ıts' Joint
Motion to Dismiss Complain	nt. Having consider	red the motion, it is h	ereby	
ORDERED, that the	Joint Motion to Dis	smiss Complaint, date	ed June, 2008, is g	granted
and that the complaint be dis	missed without pre	ejudice.		
By the Commission.				
ISSUED:		Donald S Secretary		

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 11, 2008, I served the attached Joint Motion to Dismiss Complaint upon the following:

Office of the Secretary Federal Trade Commission 600 Pennsylvania Avenue, N.W. Washington, DC 20580

Hon. Commissioner J. Thomas Rosch 600 Pennsylvania Avenue, N.W. Washington, DC 20580 Administrative Law Judge

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and Prince William Health System

Albert Y. Kim

Complaint Counsel