

**UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION**

COMMISSIONERS: Robert Pitofsky, Chairman
 Sheila F. Anthony
 Mozelle W. Thompson
 Orson Swindle
 Thomas B. Leary

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| <p style="margin: 0;">In the Matter of))) Tenet Healthcare Corporation,))) a corporation.)</p> | <p style="margin: 0;">Docket No. 9289</p> |
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ORDER TO SHOW CAUSE

The Commission has determined not to seek further review of the decision of the court of appeals in *Federal Trade Commission v. Tenet Healthcare Corporation*, 186 F.3d 1045 (8th Cir. 1999), *reh'g denied*, No. 98-3123 (Oct. 6, 1999).

In light of the court's denial of the preliminary injunction sought by the Commission, the Commission is considering whether to dismiss the pending administrative litigation involving Tenet Healthcare Corporation's acquisition of Doctors Regional Medical Center. The Commission wishes to receive the views of the parties to the litigation, however, before making any such decision.

Accordingly, the Commission directs that, not later than 14 days after issuance of this Order, Complaint Counsel and Respondent each show cause why the Commission should not dismiss the administrative complaint in this matter. Each party shall submit a memorandum addressing the application of the Statement of Federal Trade Commission Policy Regarding Administrative Merger Litigation Following the Denial of a Preliminary Injunction, 4 Trade Reg. Rep. (CCH) ¶ 13,242; the accompanying Commission Statement, 4 Trade Reg. Rep. (CCH) ¶ 13,242 at 20,997; and any other factors pertinent to whether the Commission should continue or terminate the administrative proceeding.

By the Commission.


 Donald S. Clark
 Secretary

ISSUED: December 3, 1999