

# Did You Miss Our Webinar on FTC Enforcement and the Hershey Hospital Merger?

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You can access the slides [here](#) and the recording [here](#)!

On Friday, Robert Kidwell and Bruce Sokler, members of the Firm's **Antitrust and Federal Regulatory practice group**, presented a webinar on the Third Circuit's hotly anticipated decision on the FTC's appeal of the District Court's denial of its request for a preliminary injunction on the merger of Penn State Hershey Medical Center and Pinnacle Health System.

This case became a topic of interest after the U.S. District Court for the Middle District of Pennsylvania denied the FTC's request for a preliminary injunction in May 2016. In reaching its decision, the District Court defined the "relevant geographic market" in a manner that, if upheld on appeal, would have essentially gutted the FTC's approach to hospital merger enforcement. Ultimately, the Third Circuit found that the District Court committed legal error in failing to properly formulate and apply the "hypothetical monopolist test" and issued an **opinion** that Rob and Bruce characterized as a "big win" for the FTC.

Rob and Bruce also expect this decision to be helpful to the FTC in its ongoing challenge to the Advocate/North Shore merger in Chicago (check out our previous blog post on this topic by clicking [here](#)). Stay tuned for further updates!

## Authors



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