

Chapman Client Alert

February 8, 2021

Current Issues Relevant to Our Clients

DOJ, FTC Suspend Early Termination of Review Under Hart-Scott-Rodino

On February 4, the U.S. Department of Justice (“DOJ”) and Federal Trade Commission (“FTC”) announced they would be suspending the practice of allowing early ends to the merger review process under the Hart-Scott-Rodino Act (“HSR”). The DOJ and FTC in a joint statement said they would be reviewing the procedure and process used to grant early terminations for merger review. During such review, enforcers will not grant any early terminations. The agencies cited the transition to a new administration, the “unprecedented volume” of merger filings received at the start of the new year and the ongoing pandemic as reasons for reviewing the procedures. Although the agencies did not give a timeline as to when early termination would be reinstated, they did note that they “anticipate that this temporary suspension will be brief.”

The announcement can be found at: <https://www.ftc.gov/news-events/press-releases/2021/02/ftc-doj-temporarily-suspend-discretionary-practice-early>

For More Information

If you would like further information concerning the matters discussed in this article, please contact any of the following attorneys or the Chapman attorney with whom you regularly work:

Robert M. Criswell
Chicago
312.845.3463
criswell@chapman.com

John J. Martin
Chicago
312.845.3474
jjmartin@chapman.com

James Audette
Chicago
312.845.3421
audette@chapman.com

Myles G. O’Kelly
Chicago
312.845.2974
okelly@chapman.com

Chapman and Cutler LLP

Attorneys at Law · Focused on Finance®

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