

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Plaintiff

v.

COLUMBIA/HCA HEALTHCARE CORPORATION
One Park Plaza
Nashville, Tennessee 37203
Defendant.

Civil Action No. 98 1889

STIPULATION

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

(1) the parties consent that the Court may file and enter a Final Judgment in the form attached to this Stipulation, on the Court's own motion or on the motion of any party at any time, and without further notice to any party or other proceedings, if Plaintiff has not withdrawn its consent, which it may do at any time before the entry of judgment by serving notice of its withdrawal on Defendant Columbia/HCA Healthcare Corporation ("Columbia/HCA") and by filing that notice with the Court;

(2) the attached Final Judgment is a complete settlement of all claims related to Defendant's failure to divest on time, pursuant to the Plaintiff Federal Trade Commission's final order in Docket No. C-3619, Defendant's 50% interest in the South Seminole Hospital Joint Venture in Orlando, Florida, Defendant's failure to divest on time, pursuant to the same order, Pioneer Valley Hospital and Davis Hospital in Salt Lake City, Utah, Defendant's failure to comply with the Agreement to Hold Separate, made a part of the same order, and Defendant's failure to satisfy the condition upon which the Plaintiff granted Defendant approval to acquire four Healthtrust hospitals in Salt Lake City, Utah, pursuant to Plaintiff's final order in Docket No. C-3538;

(3) the Defendant waives any objection to venue or jurisdiction for purposes of the Final Judgment and authorizes Ky P. Ewing, Jr., Attorney, Vinson & Elkins, Washington, D.C., to accept service of all process in this matter on its behalf;

(4) in the event Plaintiff Federal Trade Commission withdraws its consent or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall become null and void, and be of no effect whatever, and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

Dated: _____

FOR THE DEFENDANT FOR THE PLAINTIFF

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