

U.S. ANTITRUST AGENCIES SUSPEND EARLY TERMINATION OF MERGER REVIEW WAITING PERIODS

Feb 05, 2021

Today, the U.S. antitrust agencies announced a temporary suspension of the long-time practice of granting "early termination" of required premerger waiting periods under the Hart-Scott-Rodino Antitrust Improvements Act (the "HSR Act").

Historically, the agencies have granted early termination of the premerger waiting periods for transactions with no significant antitrust concerns. The Federal Trade Commission and U.S. Department of Justice Antitrust Division advised in a joint press release that they will be reviewing the early termination procedures and process, and no early terminations will be granted pending the completion of their review. Reasons cited for the temporary suspension and review included the transition to a new administration, high volumes of merger filings received to date in 2021, and the ongoing pandemic. The agencies employed a similar temporary suspension of early termination grants during March 2020, when they first implemented their temporary e-filing system in response to the pandemic. That suspension lasted less than three weeks.

MEET THE TEAM



Rebecca A. D. Nelson

St. Louis / Washington

rebecca.nelson@bclplaw.com

[+1 314 259 2412](tel:+13142592412)

This material is not comprehensive, is for informational purposes only, and is not legal advice. Your use or receipt of this material does not create an attorney-client relationship between us. If you require legal advice, you should consult an attorney regarding your particular circumstances. The choice of a lawyer is an important decision and should not be based solely upon advertisements. This material may be “Attorney Advertising” under the ethics and professional rules of certain jurisdictions. For advertising purposes, St. Louis, Missouri, is designated BCLP’s principal office and Kathrine Dixon (kathrine.dixon@bclplaw.com) as the responsible attorney.