UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Federal Trade Commission, *et al.*,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	**Civil No. 1:15-cv-00256 (APM)**
	)	
Sysco Corporation, *et al.*,	)	
	)	
Defendants.	)	
	)	

ORDER

This matter comes before the court on lead Plaintiff Federal Trade Commission's ("FTC") motion to enjoin the proposed merger of Defendant Sysco Corp. ("Sysco") with Defendants USF Holding Corp. and US Foods, Inc. (together, "US Foods"), under Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b). After considering the extensive record in this matter and the parties' legal arguments, the court finds that the FTC has carried its burden of showing that a preliminary injunction of the proposed merger between Sysco and US Foods is in the public interest. The FTC has shown that there is a reasonable probability that the proposed merger will substantially impair competition in the national customer and local broadline markets and that the equities weigh in favor of injunctive relief. The court's reasoning is set forth in the accompanying Memorandum Opinion.[1]

[1] Because the Memorandum Opinion likely contains "competitively sensitive information" of Defendants and third parties, Protective Order Governing Confidential Material, ECF No. 87 ¶ 1, the court has issued the Memorandum Opinion under seal to allow the parties to propose redactions of competitively sensitive information. The parties shall meet and confer and present to the court proposed redactions to the Memorandum Opinion no later than 5:00 p.m. on June 25, 2015. After considering the proposed redactions, the court will issue a public version of the Memorandum Opinion on June 26, 2015.

Accordingly, it is hereby ordered that:

1. The FTC's motion for a preliminary injunction enjoining the merger between Sysco and US Foods is granted;

2. Sysco and US Foods are hereby enjoined and restrained, under Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b), from completing the proposed merger, or otherwise effecting a combination of Sysco and US Foods, until the completion of the administrative proceedings evaluating the proposed transaction now pending before the FTC;

3. Defendants shall take any and all necessary steps to prevent any of their officers, directors, domestic or foreign agents, divisions, subsidiaries, affiliates, partnerships, or joint ventures from consummating, directly or indirectly, any such merger, or otherwise effecting any combination between Defendant Sysco and Defendant US Foods;

4. Defendants are directed to maintain the status quo until either: (1) the completion of all legal proceedings by the FTC challenging the transaction, including all appeals, or (2) further order of the court, including upon the request of the FTC, before completion of such legal proceedings;

5. This court shall retain jurisdiction of this matter for all purposes and for the full duration of this Order, as provided in the previous paragraph.

Dated: June 23, 2015

Amit P. Mehta
United States District Judge