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When Is Antitrust Merger Review Over?

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On Dec. 3, 2018, Judge Richard Leon of the U.S. District Court for the District of Columbia said that he is considering whether CVS Health Corp. and Aetna Inc. should be ordered to keep their operations separate until he can determine whether the settlement the parties reached with the U.S. Department of Justice Antitrust Division satisfies the required legal standard of review under the Tunney Act. In this article, partner Peter Jonathan Halasz and special counsel Gregory Kinzelman discuss the background of the Tunney Act following the judge's decision to continue the review process for the merging parties.

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