

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA *et al.*,

Plaintiffs,

v.

CVS HEALTH CORPORATION

and

AETNA INC.,

Defendants.

Case No. 1:18-cv-02340-RJL

[PROPOSED] ORDER

Having reviewed the United States' Motion to Clarify and Amend the Court's Planned Tunney Act Procedure, the Court GRANTS the Motion. It is HEREBY ORDERED that

1. All witnesses presented at the June 4 hearing will be subject to cross-examination of no less than the time allotted for direct testimony;
2. All witnesses' testimony will be limited to previously disclosed conclusions and analyses;
3. Following the June 4 hearing, if the Court is not satisfied that the proposed Final Judgment is in the public interest, the United States will have the opportunity to call Mike Radu and Dr. Nicholas Hill, as well as any other necessary witnesses, in order to rebut information presented by amici's witnesses;
4. There will be post-hearing briefing and argument according to a schedule that will be determined by the Court; and

5. The Tunney Act Materials provide a factual basis for concluding that the proposed Final Judgment is a reasonably adequate remedy for the harm alleged in the Complaint and that, absent reliable evidence showing otherwise, the Court will enter the Judgment without requiring further evidence from the United States.

IT IS SO ORDERED by the Court, this _____ day of _____, 2019.

United States District Judge