

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

UNITED STATES OF AMERICA, *et al.*,

*Plaintiffs,*

v.

UNITEDHEALTH GROUP  
INCORPORATED, *et al.*,

*Defendants.*

Case No. 1:24-cv-03267-JKB

Judge James K. Bredar

**MEMORANDUM OF LAW IN SUPPORT OF UNITEDHEALTH GROUP INC. AND  
AMEDISYS INC.'S MOTION TO DISMISS**

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## INTRODUCTION

UnitedHealth Group Inc. (“UHG”) and Amedisys, Inc. (“Amedisys”) provide home health and hospice services in various locations across the United States. UHG seeks to acquire Amedisys in a transaction that will expand the availability of home health and hospice care, enhance access to clinical offerings in the home, keep patients out of costlier care settings, save millions of dollars, and offer more attractive health, retirement, and benefit packages to nurses and other providers. Although UHG and Amedisys operate in 37 and 40 states respectively, together they account for just 12% of home health visits and 5% of hospice visits nationwide.

The U.S. Department of Justice (“DOJ”) and State Attorneys General of Illinois, Maryland, New Jersey, and New York (collectively, “Plaintiffs”) seek to block this pro-patient merger. But Plaintiffs’ complaint violates a core pleading requirement of any antitrust case: it fails to allege clearly defined relevant geographic areas where Plaintiffs contend competition will be substantially lessened. Instead, the complaint vaguely refers to “hundreds of local home health markets,” “dozens of hospice markets,” and “hundreds of local labor markets.” Compl. (ECF No. 1) ¶¶ 8-9, 16, 48, 51, 60, 65, 70, 95-97. Plaintiffs never actually define what “local” means—whether townships, cities, counties, multi-county areas, intra-state regions (such as the Eastern Shore), or some other area around a specific UHG or Amedisys facility or branch. Plaintiffs attach a “non-exhaustive” list of certain home health and hospice locations in the appendices to the complaint, but this is only a list of UHG or Amedisys “locations *in*” the alleged markets—not the markets themselves. *Id.* ¶¶ 60, 65, 70, Compl. App’x A, B, & C (ECF Nos. 1-1, 1-2, 1-3) (emphasis added). Failure to allege where competition will be affected, or identify principles for determining where competition occurs, is a fundamental deficiency that requires dismissal of Count I.

UHG and Amedisys do not file this motion lightly. The merging parties explored alternate ways to resolve Plaintiffs’ pleading deficiency outside of motions practice, asking Plaintiffs to

commit to providing their alleged geographic markets sometime during fact discovery. But as Plaintiffs' case management position makes clear, they believe "[g]eographic market discovery should be deferred until the experts can opine on those markets"—five to seven months from now and almost immediately before trial. Jan. 3, 2025 Joint Letter re CMO (ECF No. 73) at 11.<sup>1</sup> Market definition is a core part of *pleading* an antitrust case. Deferring geographic market definition to late in discovery will leave the merging parties (and the Court) without basic information about Plaintiffs' case, which will have cascading effects on this litigation. UHG and Amedisys cannot develop facts about market definition, competitors, referral sources, entrants, or other market dynamics without knowing the scope of the "local" geographies at issue. Nor can the parties reasonably identify bellwether markets without additional information. Plaintiffs' failure to plead the markets in which they contend competition will be harmed will result in wasteful discovery efforts, complicate third-party discovery, and impede the development of expert analysis. The scope of the final divestiture package also may be unnecessarily delayed and complicated.

Plaintiffs clearly have information about the precise geographic markets at issue. Unlike typical civil litigation, in which a plaintiff pleads its complaint on the basis of limited pre-suit information, Plaintiffs investigated the proposed transaction for more than a year before filing this lawsuit—receiving tens of millions of pages of documents, testimony, and terabytes of data from UHG, Amedisys, and over 100 third parties. Indeed, Plaintiffs manage to calculate to the dollar

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<sup>1</sup> Plaintiffs and UHG and Amedisys discussed disclosures in fact discovery that potentially could obviate the need for this motion. During a meet and confer on January 7, 2025, however, Plaintiffs stated: (i) the information they would provide would not take a position on the proper geographic markets in this case; and (ii) they would not commit to a methodology for defining any geographic markets. Because that does not remedy the clear pleading defects in the complaint, or offer UHG and Amedisys actual notice of the alleged geographic markets, the merging parties bring this motion.

the annual “volume of commerce” in “presumptively unlawful home health markets” (\$1.6 billion) and “presumptively unlawful hospice markets” (\$300 million). Compl. ¶¶ 60, 66. Plaintiffs therefore have specific, defined information describing their geographic markets, but have refused to disclose it. The importance of well-defined geographic markets is especially acute here, where Plaintiffs’ core theory relies on market-share-based “presumptions” of harm (rather than real-world, empirical examples of harm) based on increased concentration in alleged markets. Plaintiffs must be held to the well-established burden of adequately alleging geographic markets at the pleading stage.

UHG and Amedisys acknowledge that it is unusual to file for dismissal in a merger challenge brought by government antitrust enforcers. But Plaintiffs’ complaint is exceptional, breaking with nearly 30 years of practice in antitrust merger actions. In virtually every single merger case filed between 1992 and 2024, the complaint included the detail about alleged geographic markets that is conspicuously missing here. *See* App’x 1 (describing geographic market allegations in complaints from 1992-2024). UHG and Amedisys therefore must bring this motion because time is of the essence. The merger agreement between UHG and Amedisys expires at the end of 2025, and although a trial date has not been set, all parties agree that discovery and trial should take place on an expedited basis. Given the scope of the case, basic fairness should compel Plaintiffs to disclose the specific “local” geographic markets they claim will experience a presumptively unlawful lessening of competition, and the Federal Rules of Civil Procedure and relevant case law require it in any event.

Accordingly, UHG and Amedisys request that the Court hold Plaintiffs to their burden of pleading relevant geographic markets and dismiss Count I. If amendment is required, UHG and



Amedisys respectfully request that it be completed within one week of the Court's ruling so that this case may proceed to trial expeditiously and efficiently.

### **BACKGROUND**

Millions of Americans, including some of the most vulnerable patients in our country's healthcare system, benefit from receiving care in the comfort of their own homes. *See* Compl. ¶ 1. Two types of home-based care are at the heart of this case—home health and hospice services.

Home health services are provided to patients after discharge from a hospital, skilled nursing facility, rehabilitation facility, or physician's office to recover and avoid readmission. *See id.* ¶¶ 1, 19-20, 25. As the name implies, home health services are offered at a patient's home with a caregiver—often a nurse—traveling to the patient's location with all necessary resources. *See id.* ¶¶ 1, 19-20, 25, 58, 60, 69. Hospice services, in contrast, become available after curative care has ceased and a physician has determined that the patient is unlikely to live for more than six months. *See id.* ¶¶ 1, 19-20, 25, 58, 63, 69. Hospice services focus on providing pain relief, comfort, and quality-of-life care with dignity in a home setting. *See id.* These services are critical to patients and the overall healthcare system.

UHG's acquisition of Amedisys will allow UHG to improve quality of care and patient outcomes, reduce costs, improve the combined company's unique clinical offerings, increase coordination of care in different settings, and invest in the combined company's workforce. The transaction will also provide a platform for UHG to extend its value-based care initiatives by ensuring high-quality, comprehensive, efficient care to tens of thousands of patients in dozens of new markets. The acquisition will do so without substantially lessening competition. Nevertheless, in an effort to alleviate concerns from antitrust regulators, UHG is pursuing a robust divestiture that will maintain, and even enhance, competition in certain metropolitan areas and

counties.<sup>2</sup> UHG has already initiated an updated search process to identify buyers for the divestiture assets.

Plaintiffs see things differently. They allege that the proposed transaction will increase concentration and consequently harm competition in “local” home health, hospice, and nursing labor markets across the country. *See id.* ¶ 8. These allegations depend almost entirely on unspecified and theoretical “presumptions” of harm to competition in certain geographies based on the parties’ combined market shares in lieu of real-world evidence of actual competitive harm. Market-share-based presumptions inherently depend on the geographic market in which shares are calculated. Alleging relevant markets thus is a required component of an antitrust case, including a merger challenge. This motion focuses on Plaintiffs’ failure to meet this threshold requirement. Plaintiffs allege—in the broadest terms—that the proposed acquisition “is presumptively anticompetitive and illegal” in “hundreds of local home health markets,” “dozens of hospice markets,” and “hundreds of local labor markets.” *Id.* ¶¶ 60, 65, 70. Plaintiffs do not define the geographic boundaries of those markets. Instead, they attach appendices containing a “non-exhaustive list” of UHG and Amedisys’s “locations *in*” markets of undescribed scope, never defining the outer bounds and scope of any market. *Id.*, Compl., App’x A, B, & C (emphasis added). Thus, even though Plaintiffs allege that the relevant markets are “local” in nature due to providers’ willingness to travel, patients’ inability to travel, local regulatory requirements, and other factors, the complaint fails to detail the specific, cognizable markets that allegedly would

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<sup>2</sup> The geographies addressed by the proposed divestiture address the concentration thresholds in place when the transaction was signed, not after-the-fact thresholds that Plaintiffs are now seeking to apply. Because the “local” geographies alleged by Plaintiffs are unclear, UHG and Amedisys cannot directly compare the markets in which Plaintiffs allege a substantial lessening of competition and the locations included in the proposed divestiture package.

suffer antitrust harm after the transaction. *See, e.g.*, Compl. ¶¶ 58, 63, 69; *see also id.* ¶¶ 60, 66, 70. The parties therefore cannot determine what competitors operate in or around those markets, ascertain the degree to which entry has occurred, or—critically—calculate market shares. These are key questions in any antitrust case, will be the focus of very substantial fact and expert discovery, and are necessary for a final divestiture plan.

Because these allegations do not provide adequate notice of the geographic markets in which Plaintiffs allege antitrust violations, UHG and Amedisys now move to dismiss Count I.

### LEGAL STANDARD

To survive a motion to dismiss under Rule 12(b)(6), a complaint must “contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Juric v. USALCO, LLC*, 659 F. Supp. 3d 619, 625 (D. Md. 2023) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)). This ensures a defendant receives “fair notice of what the ... claim is and the grounds upon which it rests.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (citation omitted). A complaint “that offers labels and conclusions or ... naked assertion[s] devoid of further factual enhancement will not suffice.” *Shigley v. Tydings & Rosenberg LLP*, 723 F. Supp. 3d 440, 446 (D. Md. 2024) (alteration in original) (internal quotation marks and citation omitted). “[V]ague and conclusory assertions are insufficient to satisfy the notice pleading requirements of the Federal Rules of Civil Procedure.” *Lovess v. Embrace Home Loans, Inc.*, 2017 WL 4745452, at \*3 (D. Md. Oct. 20, 2017) (alteration in original) (citation omitted). Although a court “must accept as true all factual allegations” in a complaint, “this principle does not apply to legal conclusions couched as factual allegations.” *Id.* The Supreme Court has made clear that these bedrock pleading standards apply in antitrust cases, and that without plausible factual allegations, a court may not conclude a violation of the antitrust laws has been adequately alleged. *See Twombly*, 550 U.S. at 570.

## ARGUMENT

Section 7 of the Clayton Act prohibits a merger if, “in any line of commerce or in any activity affecting commerce in any section of the country, the effect of such acquisition may be substantially to lessen competition.” 15 U.S.C. § 18. Because substantial effects “can be determined only in terms of the market affected,” defining a “relevant market is a necessary predicate to finding a violation of the Clayton Act.” *Brown Shoe Co. v. United States*, 370 U.S. 294, 324 (1962) (citation omitted). “In the absence of a plausible market definition, courts are hard pressed to discern the nature or extent of any anticompetitive injury that plaintiff and other similarly situated parties may be suffering.” *It’s My Party, Inc. v. Live Nation, Inc.*, 811 F.3d 676, 681 (4th Cir. 2016).

A relevant market is “determined by reference to a product market (the ‘line of commerce’) and a geographic market (the ‘section of the country’).” *Brown Shoe*, 370 U.S. at 324. The latter element is at issue here. A geographic market must “correspond to the commercial realities of [an] industry and be economically significant.” *Id.* at 336-37 (footnote omitted). Courts do not “uncritically” accept a proposed geographic market, and “[n]o party can expect to gerrymander its way to an antitrust victory without due regard for market realities.” *It’s My Party*, 811 F.3d at 683. Drawing a geographic market “too tightly,” and without “clear evidence . . . that potential competitors outside the region are hindered from entering,” “exclude[s] potential substitutes” and “creates the illusion of market power where none may exist.” *Consul, Ltd. v. Transco Energy Co.*, 805 F.2d 490, 495 (4th Cir. 1986). For this reason, “[t]he relevant geographic market in antitrust cases is defined by the area within which the defendant’s customers . . . can practicably turn to alternative supplies if the defendant were to raise its prices.” *It’s My Party*, 811 F.3d at 682 (citation omitted).

Although market definition cannot always be resolved at the motion-to-dismiss stage, dismissal is appropriate when a complaint suffers from “glaring deficiencies,” including when it “fails to allege a geographic market or the boundaries of a relevant geographic market,” “defines a geographic market in an unreasonably and implausibly narrow manner,” or “alleges a contradictory and vague delineation of the relevant geographic market.” *E.I. du Pont de Nemours & Co. v. Kolon Indus., Inc.*, 637 F.3d 435, 444 (4th Cir. 2011) (citation omitted). Courts in this circuit routinely dismiss complaints for failure to plead a plausible geographic market. *See, e.g., Hanger v. Berkley Grp., Inc.*, 2015 WL 3439255, at \*8, 10 (W.D. Va. May 28, 2015) (dismissing complaint alleging “geographic markets consisting of the areas around the Great Eastern timeshare resorts at Massanutten and in Williamsburg” as “utterly implausible”); *Downeast Builders & Realty, Inc. v. Essex Homes Se., Inc.*, 2012 WL 2572204, at \*4 (D.S.C. July 3, 2012) (“Essex’s counterclaim . . . does nothing to clarify the geographic market, which could be interpreted as the Southeastern United States, as South Carolina and North Carolina, or as some portion of South Carolina and North Carolina.”); *Carolina Rest. Grp., Inc. v. Pepsico Sales, Inc.*, 2015 WL 4250395, at \*7 (W.D.N.C. July 13, 2015) (dismissing complaint alleging geographic market for “North and South Carolina” because it “fail[ed] to explain the competitive or economic significance” of the region).

**A. Plaintiffs’ Vague Reference to “Hundreds of Local Markets” Does Not Adequately Allege Relevant Geographic Markets.**

Plaintiffs’ complaint must be dismissed because they wholly fail to identify “the precise geographic boundaries of effective competition” for their alleged home health, hospice, and labor markets. *See Concord Assocs., L.P. v. Ent. Props. Tr.*, 2014 WL 1396524, at \*16 (S.D.N.Y. Apr. 9, 2014) (citation omitted), *aff’d*, 817 F.3d 46 (2d Cir. 2016). Although the complaint repeatedly refers to “hundreds of local home health markets,” “dozens of hospice markets,” and “hundreds of

local labor markets”—and occasionally refer to one-off areas like “Maryland’s Eastern Shore” and “Parkersburg, West Virginia”—it never actually identifies the relevant geographies in play or any basis that could be used to demarcate geographic boundaries with any precision. Compl. ¶¶ 60, 65-66, 70. This is patently improper and breaks with *over three decades* of antitrust merger challenges by government enforcers.

Courts regularly dismiss antitrust suits that allege geographic markets in vague “local” terms. For example, in *Sidibe v. Sutter Health*, 4 F. Supp. 3d 1160 (N.D. Cal. 2013), the plaintiffs alleged a geographic market for “inpatient hospital services” that was “local in nature,” referring to “multiple ‘local relevant geographic markets’ that ‘include[d] all of the local geographic markets in which Sutter-controlled hospitals and physicians provide[d] services.’” *Id.* at 1174-75; *see also id.* at 1175 (describing the alleged “local markets” as “the area in which the relevant hospital operate[d] and in which patients covered by the insurance company might practicably turn to seek[] substitutes” (second alteration in original)). The plaintiffs further alleged that “‘the six local geographic markets implicated by Sutter’s conduct include[d]’ San Francisco, Alameda, Contra Costa, Sacramento, Placer, and Amador counties.” *Id.* at 1175. The district court dismissed the complaint, explaining that it was unclear whether the plaintiffs’ claims were “based on a single local market, the six county-wide markets, or an indeterminate number of markets bounded by the areas in which Sutter hospitals operate.” *Id.* (citations omitted). The problem was that the complaint “need[ed] to identify” “all of the local markets” alleged “in reasonably concrete geographic terms,” “rather than just describing methodologies for drawing market boundaries.” *Id.*

*Sentry Data Systems, Inc. v. CVS Health*, 361 F. Supp. 3d 1279 (S.D. Fla. 2018), reached a similar conclusion, dismissing an antitrust complaint alleging that the geographic market for

hospital administrative and related services was “local, not national.” *Id.* at 1289-91. Although the plaintiff alleged “a high share of specific local markets around the country,” “a high share” of the product market for “over 180” hospitals and similar entities, and gave examples of cities in which the defendant had a high market share, the district court explained that the pleadings did “little to clarify exactly what geographic market” was being alleged and did “not plausibly suggest the contours of the relevant geographic market.” *Id.* at 1290-91. The district court thus dismissed the complaint for failing to meet “the threshold requirement that it allege a relevant geographic market.” *Id.*

Plaintiffs’ complaint fares no better. Generic reference to “local markets” fails to adequately identify the concrete geographic boundaries of the markets alleged. Plaintiffs’ “local market” allegations do not specify whether competition for home health, hospice, and related labor occurs on a city, county, multi-county, metropolitan area, state, or multi-state basis. *See, e.g.*, Compl. ¶¶ 51, 59, 64, 69 (generically referring to “hundreds of local markets for home health services, hospice services, and nursing employment” and the “county or set of counties where a predominant number of nurses reside who are willing to commute to” UHG or Amedisys patients). Even when Plaintiffs reference examples of purported geographic markets, those examples wildly differ. For example, “Maryland’s Eastern Shore” is a nine-county area with a population of nearly 500,000 spread across dozens of small cities and towns, while “Parkersburg, West Virginia” is a town with a population of approximately 30,000 comprising less than 12 square miles. *See id.* ¶¶ 60, 66, 70. If there is a principled or consistent methodology underpinning these so-called “local” markets, UHG and Amedisys are unable to discern it.

As a result, there is no way for UHG or Amedisys to meaningfully identify the alleged markets in which the proposed transaction would allegedly “result in a presumptively unlawful

increase in concentration.” *See id.* ¶¶ 60, 65, 70. Because Plaintiffs’ vague allegations do not provide the specific or conceptual geographic boundaries of the “local markets” alleged, Count I of their complaint must be dismissed. *See, e.g., Sidibe*, 4 F. Supp. 3d at 1174-75; *Sentry Data Systems*, 361 F. Supp. 3d at 1289-91; *Orchard Supply Hardware LLC v. Home Depot USA, Inc.*, 939 F. Supp. 2d 1002, 1010 (N.D. Cal. 2013) (dismissing complaint where geographic market allegations of “various regional markets in California and Oregon where [the plaintiff] and other retail sellers of power tools compete against one another” were deemed “vague and conclusory”); *CoStar Grp., Inc. v. Com. Real Est. Exch. Inc.*, 619 F. Supp. 3d 983, 993-94 (C.D. Cal. 2022) (dismissing antitrust claim that vaguely alleged “individual metropolitan areas” as markets).

**B. Plaintiffs’ Reference to Agency/Branch Locations Does Not Adequately Allege Relevant Geographic Markets.**

Plaintiffs cannot save their claims by pointing to agency and branch locations listed in appendices to the complaint. These appendices very clearly do *not* list geographic markets. They instead contain UHG or Amedisys branch “locations *in*” the alleged markets for home health, hospice, and labor—in other words, locations *within* some theoretical geographic market that the complaint does not specify. Compl., App’x A, B, & C (emphasis added). Worse, Plaintiffs admit that these locations are “*non-exhaustive*,” *see id.*; Compl. ¶¶ 60, 65, 70 (emphasis added). Reverse engineering a workable geographic market definition from Plaintiffs’ lists therefore is futile and unworkable, as it is impossible to know whether all relevant locations in Plaintiffs’ undefined markets are captured.

*Netafim Irrigation, Inc. v. Jain Irrigation, Inc.*, 562 F. Supp. 3d 1073 (E.D. Cal. 2021), is instructive. There, the district court dismissed an antitrust complaint defining the relevant geographic markets as “the ‘local geographic markets where growers demand design services and where design firms provide design services.’” *Id.* at 1082. Although the plaintiff included multiple



tables listing the addresses of defendants' stores, as well as illustrative counties and zip codes in which defendants purportedly had a dominant market share, these details did not offer "reasonably concrete geographic terms" "to decipher the amorphous phrase 'local geographic markets'" in the complaint. *Id.* at 1083-84; *see also* Compl. ¶¶ 61-65, *Netafim Irrigation, Inc. v. Jain Irrigation, Inc.*, No. 1:21-cv-00540-AWI-EPG (E.D. Cal.), ECF No. 1. In other words, "some certainty" or "limiting principle[]" "is required to ensure the phrase 'local geographic markets' provides enough notice to be able to proceed," even short of "scientific precision or metes and bounds." *Netafim Irrigation*, 562 F. Supp. 3d at 1084-85. Other courts have similarly dismissed antitrust complaints for alleging geographic markets in vague, non-exhaustive terms. *See, e.g., Sidibe*, 4 F. Supp. 3d at 1175 (dismissing complaint and noting plaintiffs' use of the word "include" as providing a "non-exclusive" list of relevant counties).

These core principles compel dismissal of Count I of Plaintiffs' complaint because it relies on vague and non-exclusive language that avoids committing Plaintiffs to any concrete geographic market. *See* Compl. ¶¶ 60, 65, 70; Compl., App'x A, B, & C (describing their appendices as "non-exhaustive"). In Delaware, for example, Plaintiffs allege that unspecified UHG and Amedisys branch locations in Dover, Georgetown, and Lewes are all "in" a "presumptively unlawful home health market." Compl., App'x A at A-1. But this leaves a host of critical questions unaddressed. Is each city its own separate geographic market? Does the market include multiple cities? Does it cross county lines, or even state lines? Are all three locations in a single home market? Is each geographic market determined by each provider location's service area or overlapping service areas where UHG and Amedisys providers both operate and compete? On these critical issues, the complaint says nothing, leaving the merging parties—and the Court—in the dark and without tools to "decipher the amorphous phrase 'local geographic markets.'" *See Netafim*, 562 F. Supp.

3d at 1084; *see also CoStar Group*, 619 F. Supp 3d at 993-94 (emphasizing the importance of geographic market allegations in providing the defendant with “notice of the markets being targeted” and “the opportunity to defend itself”).

Understanding the boundaries of alleged geographic markets is particularly important in a case like this one, where Plaintiffs’ home health and hospice markets seem to be based on UHG and Amedisys’s service areas. In describing their purported geographic markets, Plaintiffs refer to “[l]ocalized markets where” UHG and Amedisys “treat” patients, largely because patients receive services in their homes and “can only practicably turn to agencies who have offices and offer services where those patients live.” Compl. ¶¶ 58-59, 63-64. But as multiple courts have held, including in the home health context, “[t]here is no basis for inferring that a service area constitutes a geographic market” absent “evidence of elasticity of demand and barriers to entry.” *Home Health Specialists, Inc. v. Liberty Health Sys.*, 1994 WL 463406, at \*2 (E.D. Pa. Aug. 24, 1994), *aff’d*, 65 F.3d 162 (3d Cir. 1995). It does “not matter to [a] patient where [a] home health care agency [i]s located so long as the agency [i]s willing and able to provide services in the patient’s home.” *Id.* at \*4. As such, an antitrust market for home-based healthcare services must account not only for competitors physically located in a service area, but also competitors located outside the area that provide services within it or who could expand to do so.

In *Home Health Specialists, Inc. v. Liberty Health Sys.*, 1994 WL 463406, (E.D. Pa. Aug. 24, 1994), the district court granted the defendants’ summary judgment in an antitrust action alleging that the defendants engaged in anticompetitive conduct in the home health services market in Delaware County, Pennsylvania. *Id.* at \*2-4. Because the plaintiff offered “no analysis as to where consumers of hospital or home health care services seek to purchase such services” and no indication of “how far apart a patient’s residence and a home health agency can be before it is cost

prohibitive for the agency to serve that patient,” the court reasoned that the alleged geographic market “just shows the undisputed fact that Delaware County is [d]efendants’ service area,” and nothing more. *Id.* at \*3-4. The district court specifically rejected the plaintiff’s argument that immobile patients must rely on Delaware County home health agencies, explaining that “[i]t would not matter to the patient where the home health care agency was located as long as the agency was willing and able to provide services in the patient’s home.” *Id.* at \*4.

In *Delaware Health Care Inc. v. MCD Holding Co.*, 957 F. Supp. 535 (D. Del. 1997), *aff’d* 141 F.3d 1153 (3d Cir. 1998), the district similarly rejected a proposed home health care market that was geographically limited to a single county. There, the court explained that, although home infusion therapy patients “are not mobile” and “by definition ... must receive infusion services in their homes,” the geographic market inquiry “must focus on which providers are willing to provide services to consumers in the potential market,” including providers “willing to come from the other two counties of Delaware, as well as nearby Pennsylvania, New Jersey[,] and Maryland.” *Id.* at 545 & n.18. The district court thus concluded that there was “no reason to limit the relevant geographic market ... to New Castle County,” Delaware. *Id.* at 545; *see also Ferguson Med. Grp., L.P. v. Missouri Delta Med. Ctr.*, 2006 WL 2225454, at \*3-4 (E.D. Mo. Aug. 2, 2006) (rejecting geographic market of “areas from which 80-90% of patients come,” including “portions of Scott County from Sikeston South, adjacent portions of Mississippi County, New Madrid County, and small adjoining areas in Illinois and Kentucky” because they focused “on where the defendant’s customers actually go for services, not where the customers could practically turn for services”).

These cases underscore the dispositive point that Plaintiffs must allege *some* concrete geographic market so the parties can appropriately scope discovery into market shares—specifically, the competing suppliers that already travel, or would be willing to travel, to “local

areas” to provide home health or hospice services and their revenues and capacity for growth and expansion. Plaintiffs at a minimum must take the course charted in the cases above and promptly amend their complaint to allege local geographic markets with adequate specificity. *See, e.g., Sentry Data Sys., Inc. v. CVS Health*, 379 F. Supp. 3d 1320, 1329 (S.D. Fla. 2019) (noting the amended complaint “specifically allege[d]” that the local geographic markets were “the twenty-two core-based statistical areas or ‘CBSAs’ it identifies in which CVS has a 30% or greater share of contract pharmacy locations”); *Netafim Irrigation, Inc. v. Jain Irrigation, Inc.*, 2022 WL 2791201, at \*5-6 (E.D. Cal. July 15, 2022) (noting the amended complaint “focuses on three geographic markets with delineated boundaries” and, “compared to the original Complaint, . . . defines the relevant geographic markets with considerably more concrete geographic terms which are not inherently implausible on their face”); *Sidibe v. Sutter Health*, 667 F. App’x 641, 642 (9th Cir. 2016) (reversing dismissal of amended complaint alleging geographic markets of “hospital service areas, or ‘HSAs,’ as defined in the *Dartmouth Atlas of Health Care*,” which collects zip codes for hospitalizations). Plaintiffs’ generalized references to “local” geographic markets is not enough.

**C. Reference to “Hundreds of Local Markets” Is Inconsistent With Decades of Department of Justice Merger Practice.**

The inadequacy of Plaintiffs’ allegations becomes clearer when compared to prior complaints by antitrust enforcers seeking to block proposed mergers. Plaintiffs’ geographic market allegations are far less specific than virtually all of the merger cases filed by the Department of Justice in recent decades.<sup>3</sup> To provide just a few examples:

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<sup>3</sup> The Department’s prior complaints are all proper subjects of judicial notice, as the Court “may take judicial notice of matters of public record, including court and administrative filings,” when considering a motion to dismiss. *Dyer v. Md. State Bd. of Educ.*, 187 F. Supp. 3d 599, 608 (D. Md. 2016) (citation omitted), *aff’d*, 685 F. App’x 261 (4th Cir. 2017); *see also Knight v. Mfrs.*

- *United States v. Humana Inc.*: When the Department of Justice challenged Humana’s planned acquisition of Arcadian Management Services, the complaint described the relevant geographic market as “forty-five counties and parishes in Arizona, Arkansas, Louisiana, Oklahoma, and Texas,” all of which it identified in an appendix that provided Herfindahl-Hirschman Index (“HHI”) concentration statistics for each market. Compl. ¶¶ 1, 23–26 & App’x B, *United States v. Humana Inc.*, Case No. 1:12-cv-00464 (D.D.C. Mar. 27, 2012), ECF No. 1.
- *United States v. Anheuser-Busch InBev SA/NV*: When the Department of Justice challenged Anheuser-Busch’s acquisition of Modelo, the Department of Justice alleged that the relevant geographic markets were “26 local markets, defined by Metropolitan Statistical Areas,” which again were identified in an appendix that provided HHI concentration statistics and changes for each market. See Compl. ¶¶ 32-37 & App’x A, *United States v. Anheuser-Busch InBev SA/NV*, Case No. 1:13-cv-00127 (D.D.C. Jan. 31, 2013), ECF No. 1.
- *United States v. AT&T, Inc.*: When challenging a proposed merger between AT&T and T-Mobile, the Department of Justice specifically alleged geographic markets of 97 “Cellular Market Areas” or “CMAs” that the FCC uses to license mobile telecommunications services and provided an appendix showing the post-merger market share, post-merger HHI, and increase in HHI for each of the 97 CMAs. Second Am. Compl. ¶¶ 14-18 & App’x B, *United States v. AT&T Inc.*, Case No. 1:11-cv-01560 (D.D.C. Sept. 30, 2011), ECF No. 39.

These cases are not outliers. See, e.g., Compl. ¶¶ 10, 30 & App’x, *United States v. Aetna Inc.*, Case No. 1:16-cv-01494 (D.D.C.), ECF No. 1 (alleging as geographic markets “364 counties” listed in an appendix); Compl. ¶¶ 23–27 & App’x, *United States v. Springleaf Holdings, Inc.*, Case No. 1:15-cv-01992 (D.D.C.), ECF No. 1 (alleging as geographic markets “overlapping trade areas” in 126 specific “towns and municipalities” identified in an appendix). **Appendix 1** attached hereto summarizes the geographic market allegations in 155 merger complaints filed by DOJ since 1992. Virtually all of these complaints alleged a concretely defined geographic market, and even those that arguably did not at least offered a methodology for scoping geographies that could be used to identify actual or potential competitors, calculate market shares, evaluate entry, and assess competitive dynamics generally. See Am. Compl. ¶¶ 65-70, *United States v. JetBlue Airways*

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& *Traders Tr. Co.*, 84 F. Supp. 3d 436, 441 & n.3 (D. Md. 2015) (taking judicial notice of court filings).

*Corp.*, Case No. 1:23-cv-10511 (D. Mass. Mar. 31, 2023), ECF No. 69 (alleging as geographic markets “origin-and-destination pairs,” which included “all airports in a metropolitan area”).

This break with settled practice is surprising given that Plaintiffs had 15 months of one-sided compulsory process, which resulted in the production of millions of documents totaling over tens of millions of pages, 24 depositions, and 46 written submissions from UHG and Amedisys, to say nothing of third-party discovery. In fact, Plaintiffs’ allegations make clear that they already **know** (but will not disclose) the geographic boundaries of their alleged markets. Plaintiffs specifically allege that the annual “volume of commerce” in “presumptively unlawful” markets is \$1.6 billion for home health and \$300 million for hospice, respectively. *See* Compl. ¶¶ 60, 65-66. Plaintiffs likewise calculated post-divestiture metrics, alleging that the now-obsolete VitalCaring divestiture package “would still leave over 100 home health, hospice, and nurse labor markets unremedied,” which “serve at least 200,000 patients” and “employ at least 4,000 nurses.” *Id.* ¶ 74.<sup>4</sup> Plaintiffs could not have calculated such precise figures without identifying far more than the “non-exhaustive” “local” geographic markets generically described in the complaint. Plaintiffs thus should be required to give “fair notice” of the “grounds upon which” those claims depend, *Twombly*, 550 U.S. at 555 (citation omitted), so that UHG and Amedisys have the “opportunity to defend” themselves, *CoStar Group*, 619 F. Supp. 3d at 994.

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<sup>4</sup> This backdrop distinguishes this case from *Berlyn, Inc. v. Gazette Newspapers, Inc.*, 157 F. Supp. 2d 609 (D. Md. 2001). There, the district court denied a motion to dismiss an antitrust action alleging a geographic market of the “Maryland suburbs of Washington” for weekly community newspapers. *Id.* at 617-18. But in doing so, it emphasized that “[d]iscovery is necessary before a determination can be made regarding” the specific boundaries of the Maryland suburbs of Washington. *Id.* An extensive investigation has already occurred here, and in any event, the “Maryland suburbs” refers to a defined geographic area in a way that allegations about **hundreds** of “local” service areas or labor markets do not.

Respectfully, UHG and Amedisys are entitled to this information now. If Plaintiffs do not disclose the contours of their geographic markets at this stage, it is unclear when the merging parties will finally learn the full extent of the geographies at issue. UHG and Amedisys will have to navigate discovery and a divestiture process blind, guessing the boundaries of Plaintiffs' alleged markets, risking a "ships passing in the night" dynamic in which Plaintiffs and the merging parties are focused on different competitors in a given region. Worse, this nondisclosure risks subjecting third parties to unnecessary discovery. By not committing to any particular geographic markets, Plaintiffs have effectively granted themselves an evergreen right to amend their proposed geographies up until and through expert discovery in this case. Plaintiffs' position is clear: "[g]eographic market discovery should be deferred until the experts can opine on those markets." Jan. 3, 2025 Joint Letter re CMO (ECF No. 73) at 11. This subverts "the notice pleading requirements of the Federal Rules of Civil Procedure" and risks needlessly wasting the parties' and this Court's resources. *See Lovess*, 2017 WL 4745452, at \*3 (citation omitted).

### CONCLUSION

In a stark departure from 30 years of settled practice, Plaintiffs fail to adequately allege the "local" geographic markets that supposedly will experience a substantial lessening of competition. This does not comport with bedrock antitrust principles, modern pleading standards, or the already-extensive one-sided discovery Plaintiffs have received in this case. It also will have knock-on effects for fact and expert discovery. Plaintiffs have no credible reason to withhold information that they apparently have, but even so, federal pleadings standards and substantive antitrust law *require* them to adequately allege their geographic markets. For the reasons set forth in this memorandum, the Court should dismiss Count I or, at a minimum, require Plaintiffs to amend their complaint to state now what geographic markets they believe will be harmed by the proposed transaction, so that litigation efforts can move forward efficiently and on equal terms.

Respectfully submitted,

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# **APPENDIX 1**

## DOJ Geographic Market Allegations in Section 7 Complaints 1992-present

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
1	UNITED STATES v. LIVE NATION ENTERTAINMENT, INC.	United States District Court, S.D. New York	05/23/2024	No. 1:24-cv-3973	2024 WL 2346766	The complaint alleged that “[t]he United States” is a relevant geographic market for the provision of primary ticketing services to major concert venues, for primary concert ticketing offerings for fans, and for concert ticketing offerings and resale services for fans. Compl. ¶¶ 152, 156, 172. The complaint also alleged that, for the provision of concert booking and promotion services to major concert venues, for artist promotions, and for the use of large amphitheaters, the relevant geographic market was “no broader than the United States” and may also include smaller, regional geographic markets, based on product-specific considerations. <i>Id.</i> ¶¶ 181, 189, 196.
2	UNITED STATES v. JETBLUE AIRWAYS CORP.	United States District Court, D. Massachusetts	03/31/2023	No. 1:23-cv-10511-WGY	2023 WL 9186091	The complaint alleged that “Origin-and-destination pairs are the appropriate geographic markets,” and that, “on routes serving metropolitan areas with multiple airports, origins and destinations include all airports in a metropolitan area.” Compl. ¶¶ 65, 69. The complaint also provided a specific example to demonstrate the market allegations, explaining that, “For example, origin and destination pairs that involve travel to and from the Miami/Fort Lauderdale metropolitan area, which includes Miami International Airport (‘MIA’) and Fort Lauderdale-Hollywood International Airport (‘FLL’), constitute relevant geographic markets.” <i>Id.</i> ¶ 69. Finally, the complaint alleged that, “[a]lthough routes to a specific airport or set of airports within some metropolitan areas may also constitute well-defined narrower geographic markets,” it was “not necessary to consider them in this case” because the analysis for any narrower markets would not be meaningfully different. <i>Id.</i> ¶ 70.
3	UNITED STATES v. ASSA ABLOY AB	United States District Court, District of Columbia	09/15/2022	No. 22CV02791	2022 WL 19920412	“The United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act for the product markets alleged herein.” Compl. ¶ 43.
4	UNITED STATES v. UNITEDHEALTH GROUP INC.	United States District Court, District of Columbia	02/24/2022	No. 22CV00481	2022 WL 576918	“The United States is the relevant geographic market for the sale of first-pass claims editing solutions under Section 7 of the Clayton Act.” Compl. ¶ 70.
5	UNITED STATES v. UNITED STATES SUGAR CORP.	United States District Court, D. Delaware	11/23/2021	No. 1:21CV01644	2021 WL 7448197	The complaint defined the “Southeast” as the “relevant geographic market under Section 7 of the Clayton Act [because] [c]ustomers with manufacturing facilities, retail stores, or distribution warehouses in the Southeast do not have reasonable substitutes for refined sugar in this geographic region.” Compl. ¶ 32. “Southeast” included “the states of Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.” Compl. ¶ 33.
6	UNITED STATES v. BERTELSMANN SE & CO. KGAA	United States District Court, District of Columbia	11/02/2021	No. 1:21-cv-02886	2021 WL 5105483	“Penguin Random House and Simon & Schuster compete to acquire the rights to publish books in the United States. Authors who sell U.S. publishing rights are predominantly located in the United States but can reside anywhere in the world. The market includes publishers who acquire U.S. publishing rights even when those publishers are located outside the U.S. Accordingly, the relevant geographic markets for content acquisition are global.” Compl. ¶ 40.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
7	UNITED STATES v. AMERICAN AIRLINES GROUP INC.	United States District Court, D. Massachusetts	09/21/2021	No. 1:21-cv-11558-LTS	2021 WL 4306961	The complaint acknowledged that “passengers seek to depart from airports close to where they live and work, and arrive at airports close to their intended destinations.” Compl. ¶ 42. Thus, the complaint identified origin and destination airports as the relevant geographic markets, <i>see id.</i> , and described four specific examples to show the effects of the Northeast alliance at issue, <i>see id.</i> ¶¶ 44-47.
8	UNITED STATES v. AON PLC	United States District Court, District of Columbia	06/16/2021	No. 1:21CV01633	2021 WL 3473145	“The United States is a relevant geographic market for each of the five products at issue.” Compl. ¶ 14.
9	UNITED STATES v. VISA INC.	United States District Court, N.D. California, San Francisco Division	11/05/2020	No. 4:20-cv-07810	2020 WL 6551529	“The United States is the relevant geographic market.” Compl. ¶ 59.
10	UNITED STATES v. ANHEUSER-BUSCH INBEV SA/NV	United States District Court, E.D. Missouri, Eastern Division	09/18/2020	No. 4:20CV01282	2020 WL 6591541	“The relevant geographic market for analyzing the effects of the proposed acquisition is no larger than the state of Hawaii.” Compl. ¶ 19.
11	UNITED STATES v. GEISINGER HEALTH	United States District Court, M.D. Pennsylvania	08/05/2020	No. 4:20-cv-01383-MWB	2020 WL 4516125	The complaint identified the “relevant geographic market” as “no larger than the six-county area that comprises the Pennsylvania counties of Union, Snyder, Northumberland, Montour, Lycoming, and Columbia.” Compl. ¶ 47.
12	UNITED STATES v. DAIRY FARMERS OF AMERICA, INC.	United States District Court, N.D. Illinois, Eastern Division	05/01/2020	No. 1:20CV02658	2020 WL 3031006	The complaint defined “Northeastern Illinois, which includes Chicago and its suburbs, and the state of Wisconsin together,” and “New England,” including the “states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont,” as relevant geographic markets under Section 7 of the Clayton Act. Compl. ¶ 18.
13	UNITED STATES v. ZF FRIEDRICHSHAFEN A.G.	United States District Court, District of Columbia	01/23/2020	No. 1:20-cv-00182	2020 WL 408890	The complaint identified “North America” as “a relevant geographic market within the meaning of Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶ 19.
14	UNITED STATES v. SYMRISE AG	United States District Court, District of Columbia	10/30/2019	No. 1:19-cv-03263	2019 WL 5586554	The complaint identified the United States as the relevant geographic market under Section 7 of the Clayton Act. <i>See</i> Compl. ¶ 15.
15	UNITED STATES v. NOVELIS, INC.	United States District Court, N.D. Ohio	09/04/2019	No. 1:19CV02033	2019 WL 9054063	“The relevant geographic market in which to assess the competitive harm from the proposed transaction is North America.” Compl. ¶ 32.
16	UNITED STATES v. SABRE CORP.	United States District Court, D. Delaware	08/20/2019	No. 1:19CV01548	2019 WL 8015082	“The geographic market is the United States. A hypothetical monopolist of booking services for airline tickets sold through traditional travel agencies or online travel agencies in the United States would impose at least a small but significant and non-transitory increase in price for booking services. Accordingly, the markets for booking services for airline tickets sold through traditional travel agencies in the United States and booking services for airline tickets sold through online travel agencies in the United States are relevant markets.” Compl. ¶ 47.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
17	UNITED STATES v. DEUTSCHE TELEKOM AG	United States District Court, District of Columbia	07/26/2019	No. 1:19CV02232	2019 WL 3944978	“Mobile wireless carriers generally price, advertise, and market their services on a nationwide basis. Consumers who seek mobile wireless service in the United States cannot turn to carriers who do not provide service in the United States. . . . Thus, the United States is a relevant geographic market under Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶ 15.
18	UNITED STATES v. HARRIS CORP.	United States District Court, District of Columbia	06/20/2019	No. 1:19-cv-01809	2019 WL 2578620	“For national security reasons, DoD only considers domestic producers of U.S. military-grade image intensifier tubes. DoD is unlikely to turn to any foreign producers in the face of a small but significant and non-transitory price increase by domestic producers of U.S. military-grade image intensifier tubes. The United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶¶ 15-16.
19	UNITED STATES v. GRAY TELEVISION, INC.	United States District Court, District of Columbia	12/14/2018	No. 1:18-cv-02951	2018 WL 6586824	The complaint alleged that each designated market area for the “Big 4” television networks (NBC, CBS, ABC, and FOX) constituted a geographic market within the meaning of Section 7 of the Clayton Act, 15 U.S.C. § 18. <i>See</i> Compl. ¶ 25. The complaint then defined nine relevant designated market areas, including August, Georgia; Panama City, Florida; Dothan, Alabama; Tallahassee, Florida—Thomasville, Georgia; Albany, Georgia; Toledo, Ohio; Waco-Temple-Bryan, Texas; Knoxville, Tennessee; and Odessa-Midland, Texas. <i>See id.</i> ¶ 27.
20	UNITED STATES v. CVS HEALTH CORP.	United States District Court, District of Columbia	10/10/2018	No. 1:18-cv-02340	2018 WL 4916102	The complaint identified the 16 geographic regions established by the Centers for Medicare & Medicaid Services as the relevant geographic markets under Section 7 of the Clayton Act. <i>See</i> Compl. ¶¶ 2-3. The complaint alleged that the proposed acquisition would likely harm competition in 16 of the 34 Part D regions: Arkansas, California, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Wisconsin, and the multistate region of Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, and Wyoming. <i>See id.</i> ¶ 29. It alleged that each of these Part D regions is a relevant geographic market. <i>See id.</i>
21	UNITED STATES v. WALT DISNEY CO.	United States District Court, S.D. New York	06/27/2018	No. 1:18-cv-05800	2018 WL 3146076	The complaint identified designated market areas as defined by A.C. Nielsen Company as the relevant geographic markets under Section 7 of the Clayton Act. <i>See</i> Compl. ¶ 13. These designated market areas included Phoenix, Arizona; Detroit, Michigan; Milwaukee, Wisconsin; Cleveland, Ohio; Cincinnati, Ohio; Columbus, Ohio; Miami, Florida; Oklahoma City, Oklahoma; Tampa Bay, Florida; Dallas, Texas; St. Louis, Missouri; Atlanta, Georgia; Indianapolis, Indiana; Orlando, Florida; San Antonio, Texas; Minneapolis, Minnesota; Nashville, Tennessee; Memphis, Tennessee; San Diego, California; Raleigh-Durham, North Carolina; New Orleans, Louisiana; Kansas City, Kansas; Charlotte, North Carolina; Los Angeles, California; and New York, New York. <i>See id.</i> ¶ 4.
22	UNITED STATES v. CRH PLC	United States District Court, District of Columbia	06/22/2018	No. 1:18-cv-01473	2018 WL 3084967	The complaint defined the relevant geographic market as “Southern West Virginia,” consisting of four counties: Wyoming, Raleigh, Mercer, and Summers. <i>See</i> Compl. ¶¶ 24, 26
23	UNITED STATES v. BAYER AG	United States District Court, District of Columbia	05/29/2018	No. 1:18-cv-01241	2018 WL 2417887	The complaint alleged that the relevant geographic market turned on the product at issue. <i>See</i> Compl. ¶ 16. For seeds other than soybean seeds, the complaint alleges that the relevant geographic market is the United States. <i>Id.</i> For soybean seeds, the complaint alleges that the relevant geographic market is the southern United States. <i>Id.</i> And for crop protection products, the relevant geographic market is the United States. <i>Id.</i> ¶ 17.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
24	UNITED STATES v. AT&T INC.	United States District Court, District of Columbia	11/20/2017	No. 1:17-cv-02511	2017 WL 5564815	The complaint identified local geographic markets throughout the country as the relevant geographic markets under Section 7 of the Clayton Act. <i>See</i> Compl. ¶ 27.
25	UNITED STATES v. ENTERCOM COMMUNICATIONS CORP.	United States District Court, District of Columbia	11/01/2017	No. 1:17-cv-02268	2017 WL 4947563	The complaint alleged that the Boston, Sacramento, and San Francisco designated market areas, as defined by the Nielsen Company, constitute the relevant geographic markets under Section 7 of the Clayton Act. <i>See</i> Compl. ¶¶ 9, 15.
26	UNITED STATES v. PARKER-HANNIFIN CORP.	United States District Court, D. Delaware	09/26/2017	No. 1:17-cv-01354-JEJ	2017 WL 4269688	“The United States is the relevant geographic market in which to assess the competitive harm that is likely to arise out of this transaction.” Compl. ¶ 34.
27	UNITED STATES v. GENERAL ELECTRIC CO.	United States District Court, District of Columbia	06/12/2017	No. 1:17-cv-01146-RDM	2017 WL 2541513	“[T]he United States is a relevant market under Section 7 of the Clayton Act.” Compl. ¶ 12.
28	UNITED STATES v. SMITHS GROUP PLC	United States District Court, District of Columbia	03/30/2017	No. 1:17-cv-00580-RMC	2017 WL 1224354	The complaint alleged that the relevant geographic market for purposes of Section 7 of the Clayton Act was the United States. <i>See</i> Compl. ¶¶ 20-21.
29	UNITED STATES v. CLEAR CHANNEL OUTDOOR HOLDINGS, INC.	United States District Court, District of Columbia	12/22/2016	No. 1:16-cv-02497-RDM	2016 WL 7437872	The complaint identified the relevant geographic market under Section 7 of the Clayton Act as no larger than the “Metropolitan Markets,” which it defines as Indianapolis, Indiana and Atlanta, Georgia. <i>See</i> Compl. ¶¶ 1, 11.
30	UNITED STATES v. AMC ENTERTAINMENT HOLDINGS, INC.	United States District Court, District of Columbia	12/20/2016	No. 1:16CV02475	2016 WL 11703582	For exhibiting first-run, commercial movies, the complaint identified the following local geographic markets: Montgomery, Alabama; Destin and Miramar Beach, Florida; Orange Park and Fleming Island, Florida; Cumming, Georgia; Lithonia and Conyers, Georgia; Crestwood and Lansing, Illinois; Normal and Bloomington, Illinois; Pekin, Peoria, and Washington, Illinois; Inver Grove Heights and Oakdale, Minnesota; Coon Rapids and Mounds View, Minnesota; Rockaway and Sparta, New Jersey; Westfield and Cranford, New Jersey; Lawton, Oklahoma; Allentown and Center Valley, Pennsylvania; and Madison and Fitchburg, Wisconsin. <i>See</i> Compl. ¶¶ 31-61. The complaint identified the United States as the relevant geographic market for preshow services sold to exhibitors and for cinema advertising sold to advertisers. <i>Id.</i> ¶ 67.
31	UNITED STATES v. ALASKA AIR GROUP, INC.	United States District Court, District of Columbia	12/06/2016	No. 1:16-cv-02377	2016 WL 7111836	The complaint alleged that the twenty nonstop air-travel routes on which Alaska and Virgin compete constituted the relevant geographic markets within the meaning of Section 7 of the Clayton Act. <i>See</i> Compl. ¶¶ 29-30.
32	UNITED STATES v. ENERGY SOLUTIONS, INC.	United States District Court, D. Delaware	11/16/2016	No. 1:16-cv-01056-UNA	2016 WL 6803190	The complaint alleged that the relevant geographic market was the “Relevant States,” a term defined to include 36 specific states, along with Puerto Rico and the District of Columbia. Compl. ¶¶ 1 & n.1, 59.
33	UNITED STATES v. WESTINGHOUSE AIR BRAKE TECHNOLOGIES CORP.	United States District Court, District of Columbia	10/26/2016	No. 1:16-cv-02147	2016 WL 6274476	“Based on customer location and the governing regulatory framework, the United States is the relevant geographic market for the development, manufacture, and sale of freight brake components.” Compl. ¶ 39.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
34	UNITED STATES v. NEXSTAR BROADCASTING GROUP, INC.	United States District Court, District of Columbia	09/02/2016	No. 1:16-cv-01772	2016 WL 4607832	The complaint alleged that the relevant geographic markets for television advertising and for the licensing of television programming were the “Designated Market Areas” used by the A.C. Nielsen Company, a firm that surveys television viewers. The complaint further alleged that the DMAs were “widely accepted” by the television industry as “the standard geographic area to use in evaluating television audience size and demographic composition.” Compl. ¶¶ 1, 12-13. These DMAs included Roanoke-Lynchburg, Virginia; Terre Haute, Indiana; Ft. Wayne, Indiana; Green Bay-Appleton, Wisconsin; Lafayette, Louisiana; and Davenport, Iowa/Rock Island-Moline, Illinois. <i>See id.</i> ¶ 2.
35	UNITED STATES v. DEERE & CO.	United States District Court, N.D. Illinois, Eastern Division	08/31/2016	No. 1:16-cv-08515	2016 WL 4557527	“The relevant geographic market is no larger than the United States.” Compl. ¶ 30.
36	UNITED STATES v. ANTHEM, INC.	United States District Court, District of Columbia	07/21/2016	No. 1:16-cv-01493	2016 WL 3920813	The complaint alleged that the 14 states in which Anthem was the licensee for the Blue Cross and Blue Shield Association should be considered together as “a single relevant geographic market and section of the country under Section 7 of the Clayton Act.” Compl. ¶ 24. The complaint further alleged that “[i]t is also appropriate to consider the United States as a single relevant geographic market and section of the country under Section 7 of the Clayton Act.” <i>Id.</i> ¶ 26.
37	UNITED STATES v. AETNA INC.	United States District Court, District of Columbia	07/21/2016	No. 1:16-cv-01494	2016 WL 3920816	“Each of the 364 counties listed in the Appendix is a relevant geographic market and section of the country under Section 7 of the Clayton Act.” Compl. ¶ 30.
38	UNITED STATES v. GTCR FUND X/A AIV LP	United States District Court, District of Columbia	06/10/2016	No. 1:16-cv-01091	2016 WL 3390123	“The relevant geographic market is the United States.” Compl. ¶ 14.
39	UNITED STATES v. HALLIBURTON CO.	United States District Court, D. Delaware	04/06/2016	No. 1:16-cv-00233-UNA	2016 WL 1366334	“[T]he United States is a relevant geographic market for each of the relevant [product] markets described below.” Compl. ¶ 14.
40	UNITED STATES v. IRON MOUNTAIN INC.	United States District Court, District of Columbia	03/31/2016	No. 1:16-CV-00595-APM	2016 WL 1267839	The complaint alleged that the relevant geographic markets for hard-copy records management services were “the following 15 metropolitan areas—Detroit, Michigan; Kansas City, Missouri; Charlotte, North Carolina; Durham, North Carolina; Raleigh, North Carolina; Buffalo, New York; Tulsa, Oklahoma; Pittsburgh, Pennsylvania; Greenville/Spartanburg, South Carolina; Nashville, Tennessee; San Antonio, Texas; Richmond, Virginia; San Diego, California; Atlanta, Georgia; and Seattle, Washington.” Compl. ¶¶ 16-17
41	UNITED STATES v. TRIBUNE PUBLISHING CO.	United States District Court, C.D. California	03/17/2016	No. 2:16-cv-01822	2016 WL 1055638	“Orange County, California and Riverside County, California are each relevant geographic markets and sections of the country within the meaning of Section 7 of the Clayton Act.” Compl. ¶¶ 12-16.
42	UNITED STATES v. AMC ENTERTAINMENT HOLDINGS, INC.	United States District Court, District of Columbia	12/15/2015	No. 1:15-cv-02181	2015 WL 9601424	The complaint identified the relevant geographic markets for first-run, commercial movie tickets as the area “in and around East Windsor, New Jersey,” and the area “in and around Berlin, Connecticut.” Compl. ¶¶ 19-22.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
43	UNITED STATES v. SPRINGLEAF HOLDINGS, INC.	United States District Court, District of Columbia	11/13/2015	No. 1:15-cv-01992	2015 WL 7069863	The complaint alleged that the relevant geographic markets were the overlapping trade areas located in 126 specific towns and municipalities that were identified in an appendix. Compl. ¶ 27.
44	UNITED STATES v. COX ENTERPRISES, INC.	United States District Court, District of Columbia	09/29/2015	No. 15CV01583	2015 WL 7295308	“[T]he United States is a relevant geographic market for purposes of analyzing the likely competitive effects of the proposed acquisition under Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶ 19.
45	UNITED STATES v. GENERAL ELECTRIC CO.	United States District Court, District of Columbia	09/08/2015	No. 15CV01460	2015 WL 5935607	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 19.
46	UNITED STATES v. ENTERCOM COMMUNICATIONS CORP.	United States District Court, District of Columbia	07/14/2015	No. 1:15-cv-01119-RC	2015 WL 4257378	The complaint alleged that the relevant geographic market was “the Denver, Colorado Metro Survey Area” or “MSA.” It further alleged that “[a]n MSA is a geographical unit for which Nielsen Audio, a company that surveys radio listeners, furnishes radio stations, advertisers, and advertising agencies in a particular area with data to aid in evaluating radio audiences,” and that such geographic units were “widely accepted by radio stations, advertisers, and advertising agencies as the standard geographic area to use in evaluating radio audience size and demographic composition.” Compl. at 1 & ¶ 10.
47	UNITED STATES v. AB ELECTROLUX	United States District Court, District of Columbia	07/01/2015	No. 15CV01039	2015 WL 7888280	The complaint alleged that the relevant geographic markets for various large cooking appliances were “no larger than the United States,” and that the defendants had “agreed that they will not argue that the relevant geographic markets are broader than the United States.” Compl. ¶ 27.
48	UNITED STATES v. WASTE MANAGEMENT, INC.	United States District Court, District of Columbia	03/13/2015	No. 1:15-cv-00366	2015 WL 1137699	The complaint alleged that the relevant geographic markets for small-container commercial waste collection were the “Springdale, Arkansas Area; Van Buren/Fort Smith, Arkansas Area; and Topeka, Kansas Area.” Compl. ¶ 18.
49	UNITED STATES v. VERSO PAPER CORP.	United States District Court, District of Columbia	12/31/2014	No. 1:14-cv-2216	2014 WL 7399226	The complaint identified the relevant geographic market as “the United States and Canada.” Compl. ¶¶ 22-25.
50	UNITED STATES v. CONTINENTAL AG	United States District Court, District of Columbia	12/11/2014	No. 1:14-cv-02087	2014 WL 7189681	“North America is a relevant geographic market for the development, manufacture, and sale of commercial vehicle air springs for OEMs within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 25.
51	UNITED STATES v. NEXSTAR BROADCASTING GROUP, INC.	United States District Court, District of Columbia	11/26/2014	No. 1:14-cv-02007	2014 WL 6735139	The complaint alleged that the relevant geographic market for the sale of broadcast television spot advertising was the Evansville, Indiana Designated Marketing Area (“DMA”) (as defined by the A.C. Nielsen Company). Compl. ¶¶ 19-20.
52	UNITED STATES v. NATIONAL CINEMEDIA, INC.	United States District Court, S.D. New York	11/03/2014	No. 14 CV 8732	2014 WL 5524977	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 47.



No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
53	UNITED STATES v. MEDIA GENERAL, INC.	United States District Court, District of Columbia	10/30/2014	No. 1:14-cv-01823	2014 WL 5553844	The complaint identified the relevant geographic markets for the sale of broadcast television spot advertising as the Designated Market Areas or “DMAs” for the following locales: “Mobile, Alabama/Pensacola, Florida; Birmingham, Alabama; Savannah, Georgia; Providence, Rhode Island/New Bedford, Massachusetts; and Green Bay/Appleton, Wisconsin.” Compl. at 1 & ¶¶ 15-17.
54	UNITED STATES v. TYSON FOODS, INC.	United States District Court, District of Columbia	08/27/2014	No. 1:14CV01474	2014 WL 4249929	The complaint alleged that “[h]og breeding operations are concentrated in the central area of the United States, including Iowa, Illinois, and Missouri, and in North Carolina,” that “[t]he overwhelming majority of sow purchases occur within this region,” and that, “[a]s sows are also shipped even farther distances to slaughter facilities throughout the nation, the United States is the outer bounds of a relevant geographic market.” Compl. ¶¶ 17-18.
55	UNITED STATES v. LM U.S. CORP ACQUISITION INC.	United States District Court, District of Columbia	07/30/2014	No. 1:14CV01291	2014 WL 3975931	The complaint identified the relevant geographic market for the provision of “fixed base operator” services (e.g., the sale of aviation fuel and related support services), as “the Scottsdale Municipal Airport.” Compl. ¶¶ 1, 11-12.
56	UNITED STATES v. SINCLAIR BROADCAST GROUP, INC.	United States District Court, District of Columbia	07/15/2014	No. 1:14-cv-01186	2014 WL 3611152	The complaint alleged that the relevant geographic market for the sale of broadcast television spot advertising was “the Harrisburg-Lancaster-Lebanon-York, Pennsylvania Designated Market Area,” as defined by the A.C. Nielsen Company. Compl. at 2 & ¶¶ 19-21.
57	UNITED STATES v. MARTIN MARIETTA MATERIALS, INC.	United States District Court, District of Columbia	06/26/2014	No. 1:14CV01079	2014 WL 2892069	“[T]he Dallas area is a relevant geographic market for the production and sale of Texas DOT-qualified aggregate within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 24.
58	UNITED STATES v. CONAGRA FOODS, INC.	United States District Court, District of Columbia	05/20/2014	No. 1:14CV00823	2014 WL 2106283	The complaint identified the relevant geographic markets for the production and sale of hard wheat flour and soft wheat flour as the following areas: “Northern California (encompassing Santa Rosa-Petaluma, Napa, Sacramento-Arden-Arcade-Roseville, Stockton, Vallejo-Fairfield, San Francisco-Oakland-Fremont, Santa Cruz-Watsonville, San Jose-Sunnyvale-Santa Clara, Merced, and Modesto), Southern California (encompassing Los Angeles-Long Beach-Santa Ana, Riverside-San Bernardino-Ontario, and San Diego-Carlsbad-San Marcos), Northern Texas (encompassing Dallas-Fort Worth-Arlington), and the Upper Midwest (encompassing Minneapolis-St. Paul-Bloomington, Eau Claire, Madison, La Crosse, and Rochester).” Compl. ¶ 20.
59	UNITED STATES v. HERAEUS ELECTRO-NITE CO., LLC	United States District Court, District of Columbia	01/02/2014	No. 1:14CV00005	2014 WL 25096	“[T]he United States is a relevant geographic market for the development, production, sale and service of S&I within the meaning of Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18.” Compl. ¶ 23.
60	UNITED STATES v. GANNETT CO., INC.	United States District Court, District of Columbia	12/16/2013	No. 1:13CV01984	2013 WL 6579791	“[T]he St. Louis DMA is a section of the country under Section 7 of the Clayton Act and a relevant geographic market for the sale of broadcast television spot advertising for purposes of analyzing the Transaction under Section 7 of the Clayton Act and Section 1 of the Sherman Act.” Compl. ¶ 22.



No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
61	UNITED STATES v. US AIRWAYS GROUP, INC.	United States District Court, District of Columbia	09/05/2013	No. 1:13-cv-01236-CKK	2013 WL 5411082	The complaint alleged that each “city pair” between which US Airways and American offered flights constituted a relevant geographic market within the meaning of Section 7 of the Clayton Act. <i>See</i> Compl. ¶¶ 27-28. The complaint additionally alleged that takeoff and landing “slots” at Reagan National Airport constituted a distinct “line of commerce, section of the country, and relevant market within the meaning of Section 7 of the Clayton Act.” <i>Id.</i> ¶¶ 30-31.
62	UNITED STATES v. CINEMARK HOLDINGS, INC.	United States District Court, District of Columbia	05/20/2013	No. 1:13CV00727	2013 WL 2300248	The complaint identified the relevant geographic markets for the exhibition of first-run, commercial movies as the area “in and around Voorhees Township, New Jersey and the close-by town of Somerdale, New Jersey (‘Voorhees-Somerdale’),” “the eastern portion of Louisville, Kentucky (‘East Louisville’),” “the western portion of Fort Worth, Texas (‘Western Fort Worth’),” and “the area in and around Denton, Texas (‘Greater Denton’).” Compl. ¶¶ 19-26. It additionally highlighted the specific movie theaters owned by the defendants in each market, as well as the number of competing theaters that also showed first-run commercial movies in each market. <i>Id.</i>
63	UNITED STATES v. ECOLAB INC.	United States District Court, District of Columbia	04/08/2013	No. 1:13CV00444	2013 WL 1402940	“The U.S. Gulf of Mexico is a relevant geographic market for the provision of deepwater PCMS under Section 7 of the Clayton Act.” Compl. ¶ 24.
64	UNITED STATES v. ANHEUSER-BUSCH INBEV SA/NV	United States District Court, District of Columbia	01/31/2013	No. 1:13-cv-00127	2013 WL 362891	The complaint alleged that the relevant geographic markets for the sale of beer were “26 local markets, defined by Metropolitan Statistical Areas,” which were identified in an appendix that provided HHI concentration statistics and changes for each market. <i>See</i> Compl. ¶¶ 32-37 & App’x A. The complaint also alleged that, because “[g]eneral pricing strategy also typically originates at a national level,” the United States was also a relevant geographic market. <i>Id.</i> ¶ 37
65	UNITED STATES v. BAZAARVOICE, INC.	United States District Court, N.D. California, San Francisco Division	01/10/2013	No. 3:13-cv-00133	2013 WL 127168	“The United States is a relevant geographic market.” Compl. ¶ 31.
66	UNITED STATES v. TWIN AMERICA, LLC	United States District Court, S.D. New York	12/11/2012	No. 12 CV 8989.	2012 WL 6127681	“New York City is a relevant geographic market under Section 7 of the Clayton Act, Section 1 of the Sherman Act, and Section 340 of the Donnelly Act.” Compl. ¶ 45.
67	UNITED STATES v. STAR ATLANTIC WASTE HOLDINGS, L.P.	United States District Court, District of Columbia	11/15/2012	No. 1:12CV01847	2012 WL 5903931	“[T]he Macon Metropolitan Area [(defined as Bibb, Jones, Peach, Monroe, and Crawford Counties in Georgia)] is a section of the country, or relevant geographic market, for purposes of analyzing the effects of the acquisition under Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶ 20.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
68	UNITED STATES v. STANDARD PARKING CORPORATION	United States District Court, District of Columbia	09/26/2012	No. 12CV01598	2012 WL 4442382	“The relevant geographic markets for off-street parking services, where Standard and Central both operate parking facilities close enough to be attractive competitive alternatives to customers, are contained within areas of the CBDs in the following 29 cities or parts of cities in the United States: (1) Atlanta, GA; (2) Baltimore, MD; (3) Bellevue, WA; (4) Boston, MA; (5) New York City (Bronx), NY; (6) Charlotte, NC; (7) Chicago, IL; (8) Cleveland, OH; (9) Columbus, OH; (10) Dallas, TX; (11) Denver, CO; (12) Fort Myers, FL; (13) Fort Worth, TX; (14) Hoboken, NJ; (15) Houston, TX; (16) Kansas City, MO; (17) Los Angeles, CA; (18) Miami, FL; (19) Milwaukee, WI; (20) Minneapolis, MN; (21) Nashville, TN; (22) New Orleans, LA; (23) Newark, NJ; (24) Philadelphia, PA; (25) Phoenix, AZ; (26) New York City (Rego Park), NY; (27) Richmond, VA; (28) Sacramento, CA; and (29) Tampa, FL.” Compl. ¶ 20.
69	UNITED STATES v. UNITED TECHNOLOGIES CORP.	United States District Court, District of Columbia	07/26/2012	No. 12CV01230	2012 WL 3047306	“[T]he world is the relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶¶ 24-25.
70	UNITED STATES v. HUMANA INC.	United States District Court, District of Columbia	03/27/2012	No. 1:12-cv-00464	2012 WL 1136534	The complaint described the relevant geographic market as “forty-five counties and parishes in Arizona, Arkansas, Louisiana, Oklahoma, and Texas,” all of which it identified in an appendix that provided HHI concentration statistics for each market. Compl. ¶¶ 1, 23-26 & App’x B.
71	UNITED STATES v. INTERNATIONAL PAPER CO.	United States District Court, District of Columbia	02/10/2012	No. 1:12-cv-00227	2012 WL 546317	“The relevant geographic market for analyzing the likely effects of the proposed merger on the production and sale of containerboard is North America.” Compl. ¶¶ 17-19.
72	UNITED STATES v. DEUTSCHE BÖRSE AG	United States District Court, District of Columbia	12/22/2011	No. 1:11-cv-02280	2011 WL 6442244	“The relevant geographic market is the United States.” Compl. ¶ 18.
73	UNITED STATES v. EXELON CORP.	United States District Court, District of Columbia	12/21/2011	No. 11CV02276	2011 WL 6401170	The complaint alleged that the relevant geographic markets for the supply of wholesale electricity were specific supply areas referred to as “PJM Mid-Atlantic North,” and “PJM Mid-Atlantic South,” each of which was “defined by a set of major transmission lines” that set it apart from the rest of the transmission grid. Compl. ¶¶ 19, 22, 26-29.
74	UNITED STATES v. Grupo BIMBO, S.A.B. DE C.V.	United States District Court, District of Columbia	10/21/2011	No. 1:11CV01857	2011 WL 5040616	“The metropolitan and surrounding areas of San Diego, Los Angeles, San Francisco and Sacramento, California; Kansas City, Kansas; Omaha, Nebraska; Oklahoma City, Oklahoma; and Harrisburg/Scranton, Pennsylvania, each are relevant geographic markets.” Compl. ¶ 16.
75	UNITED STATES v. AT&T INC.	United States District Court, District of Columbia	09/30/2011	No. 11CV01560	2011 WL 4806971	The complaint specifically alleged that the relevant geographic markets were 97 “Cellular Market Areas” or “CMAs” (designated areas used by the FCC to license mobile telecommunications services), and it also included an appendix showing the post-merger market share, post-merger HHI, and increase in HHI for each of the 97 CMAs. Second Am. Compl. ¶¶ 14-18 & App’x B.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
76	UNITED STATES v. CUMULUS MEDIA INC.	United States District Court, District of Columbia	09/08/2011	No. 11CV01619	2011 WL 3958535	“The relevant markets for Section 7 of the Clayton Act are the sale of radio advertising time to advertisers targeting listeners in two separate Arbitron Metro Survey Areas (‘MSAs[’]) by radio stations in those MSAs. The two MSAs are: Harrisburg-Lebanon-Carlisle, Pennsylvania, which includes Cumberland, Dauphin, Lebanon and Perry Counties in Pennsylvania (the ‘Harrisburg MSA’); and Flint, Michigan, which includes Genesee County in Michigan (the ‘Flint MSA’).” Compl. ¶ 9.
77	UNITED STATES v. GENERAL ELECTRIC CO.	United States District Court, District of Columbia	08/29/2011	No. 11CV01549	2011 WL 3801826	“[S]ales to customers in North America is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 21.
78	UNITED STATES v. REGAL BELOIT CORP.	United States District Court, District of Columbia	08/17/2011	No. 1:11-cv-01487	2011 WL 3841136	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 24.
79	UNITED STATES v. VERIFONE SYSTEMS, INC.	United States District Court, District of Columbia	06/27/2011	No. 1:11-cv-00887	2011 WL 2680801	The complaint alleged that, for sales of both countertop point-of-sale terminals and multi-lane point-of-sale terminals, “[t]he relevant geographic market is the United States.” Compl. ¶¶ 19, 24.
80	UNITED STATES v. H&R BLOCK, INC.	United States District Court, District of Columbia	05/23/2011	No. 1:11-cv-00948	2011 WL 1944202	“[A] relevant geographic market within the meaning of Section 7 of the Clayton Act, 15 U.S.C. § 18[,] is a worldwide market.” Compl. ¶ 27.
81	UNITED STATES v. GEORGE’S FOODS, LLC	United States District Court, W.D. Virginia, Harrisonburg Division	05/10/2011	No. 11CV00043	2011 WL 2445076	The complaint alleged that the relevant geographic market was “[t]he overlapping draw areas of Tyson and George’s,” which “consist[ed] of the Shenandoah Valley area” within the range in which it was commercially reasonable for the defendant chicken processors to deliver chicks and feed to growers and to pick up mature “broiler” chickens. The complaint also alleged that, “[i]n the Shenandoah Valley, processors rarely contract with growers who are located more than fifty to seventy-five miles from the processor’s feed mill and processing plant.” Compl. ¶ 22.
82	UNITED STATES v. UNILEVER N.V.	United States District Court, District of Columbia	05/06/2011	No. 11CV00858	2011 WL 1732945	“The relevant geographic markets, within the meaning of Section 7 of the Clayton Act, for the value shampoo, value conditioner, and hairspray[ ]product markets are no larger than the United States.” Compl. ¶ 28.
83	UNITED STATES v. STERICYCLE, INC.	United States District Court, District of Columbia	04/08/2011	No. 1:11-cv-00689	2011 WL 2491676	“[T]he relevant market is the provision of infectious waste treatment services to customers in the New York Metropolitan Area.” Compl. ¶ 24.
84	UNITED STATES v. GOOGLE INC.	United States District Court, District of Columbia	04/08/2011	No. 1:11-cv-00688	2011 WL 1338047	“The relevant geographic market for comparative flight search services is the United States. . . . The relevant geographic market for P&S systems is the United States.” Compl. ¶¶ 27-28.

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85	UNITED STATES v. L.B. FOSTER CO.	United States District Court, District of Columbia	12/14/2010	No. 10-cv-02115	2010 WL 5344240	<p>“The development, manufacture, and sale of bonded joints in the United States is a line of commerce and relevant market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 20.</p> <p>“The development, manufacture, and sale of poly joints in the United States is a line of commerce and relevant market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 24.</p>
86	UNITED STATES v. GRAFTECH INTERNATIONAL LTD.	United States District Court, District of Columbia	11/29/2010	No. 1:10-cv-02039	2010 WL 4926593	“[W]orldwide production and sale of petroleum needle coke is a line of commerce and a relevant product market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 16.
87	UNITED STATES v. AMC ENTERTAINMENT HOLDINGS, INC.	United States District Court, District of Columbia	05/21/2010	No. 10CV00846	2010 WL 2380402	The complaint identified the relevant geographic markets for the exhibition of first-run, commercial movies as “the North Suburban Chicago, Upper Southwest Suburban Chicago, and Lower Southwest Suburban Chicago areas,” “the Upper Northwest Denver and Lower Northwest Denver areas,” and “the North Indianapolis and the South Indianapolis areas.” Compl. ¶¶ 21-33. It additionally highlighted the specific movie theaters owned by the defendants in each market, as well as the number of competing theaters that also showed first-run commercial movies in each market. <i>Id.</i>
88	UNITED STATES v. AMCOR LTD.	United States District Court, District of Columbia	06/10/2010	No. 1:10-cv-00973	2010 WL 2724165	“Based on the locations of customers for vented bags for medical use, the relevant geographic market is the United States.” Compl. ¶ 23.
89	UNITED STATES v. BAKER HUGHES INC.	United States District Court, District of Columbia	04/27/2010	No. 1:10-cv-00659	2010 WL 2724162	“The relevant geographic region is the [U.S.] Gulf [of Mexico]. This region is defined based on the locations of customers.” Compl. ¶ 26.
90	UNITED STATES v. ELECTION SYSTEMS AND SOFTWARE, INC.	United States District Court, District of Columbia	03/08/2010	No. 10CV00380	2010 WL 1139706	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 27.
91	UNITED STATES v. BEMIS COMPANY, INC.	United States District Court, District of Columbia	02/24/2010	No. 10CV00295	2010 WL 741215	“[T]he United States and Canada is a relevant geographic market for flexible-packaging rollstock for chunk, sliced, and shredded natural cheese packaged for retail sale and flexible-packaging shrink bags for fresh meat within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 31.
92	UNITED STATES v. TICKETMASTER ENTERTAINMENT, INC.	United States District Court, District of Columbia	01/29/2010	No. 110CV00139	2010 WL 975408	“The United States is the relevant geographic scope of the market.” Compl. ¶ 36.
93	UNITED STATES v. DEAN FOOD CO.	United States District Court, E.D. Wisconsin, Milwaukee Division	01/22/2010	No. 10CV00059	2010 WL 1251787	“Each school district in Wisconsin and the [Upper Peninsula of Michigan] constitutes a relevant geographic market or section of the country within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 34.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
94	UNITED STATES v. STERICYCLE, INC.	United States District Court, District of Columbia	11/30/2009	No. 1:09-cv-02268	2009 WL 4563211	“[T]he states of Kansas, Missouri, Nebraska, and Oklahoma are a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶¶ 2, 21.
95	UNITED STATES v. CAMERON INTERNATIONAL CORP.	United States District Court, District of Columbia	11/17/2009	No. 09CV2165	2009 WL 5440434	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 24.
96	UNITED STATES v. AT&T INC.	United States District Court, District of Columbia	10/13/2009	No. 09CV01932	2009 WL 3377231	“The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. § 18, where the transaction would substantially lessen competition for mobile wireless telecommunications services are effectively represented by the following FCC spectrum licensing areas: Lafayette LA MSA (CMA 174); Alexandria LA MSA (CMA 205); LA RSA 3 (CMA 456); LA RSA 5 (CMA 458); LA RSA 6 (CMA 459); LA RSA 7 (CMA 460); MS RSA 8 (CMA 500); and MS RSA 9 (CMA 501).” Compl. ¶ 16.
97	UNITED STATES v. SAPA HOLDING AB	United States District Court, District of Columbia	07/30/2009	No. 1:09-cv-01424	2009 WL 2428410	“The United States is a relevant geographic market for purposes of analyzing the effects of the acquisition under Section 7 of the Clayton Act.” Compl. ¶ 15.
98	UNITED STATES v. MICROSEMI CORP.	United States District Court, E.D. Virginia, Alexandria Division	12/18/2008	No. 1:08 CV 1311ATJ/JFA	2008 WL 5530412	“[U]nder Section 7 of the Clayton Act and Section 2 of the Sherman Act, the relevant geographic market for JANTXV and JANS small signal transistors is the United States. . . . [U]nder Section 7 of the Clayton Act and Section 2 of the Sherman Act, the relevant geographic market for JANTXV and JANS 5811 diodes is the United States.” Compl. ¶¶ 29-30.
99	UNITED STATES v. REPUBLIC SERVICES, INC.	United States District Court, District of Columbia	12/03/2008	No. 08CV02076	2008 WL 5328183	<p>The complaint alleged that, for small container waste collection services, the relevant geographic markets consisted of the following: “Atlanta, Georgia (Cherokee, Forsyth, Hall, Jackson, Barrow, Gwinnett, Walton, DeKalb, Rockdale, Fulton, Clayton, Cobb and Paulding Counties); Cape Girardeau, Missouri (Cape Girardeau County); Charlotte, North Carolina (Mecklenburg County); Fort Worth, Texas (Tarrant County); Greenville-Spartanburg, South Carolina (Greenville and Spartanburg Counties); Houston, Texas (Harris County); Lexington, Kentucky (Fayette, Jessamine, Woodford, Scott and Franklin Counties); Lubbock, Texas (Lubbock County); and Northwest Indiana (Lake, Porter and LaPorte Counties).” Compl. ¶ 20.</p> <p>The complaint additionally alleged that, for disposal of municipal solid waste, the relevant geographic markets consisted of the following: “Atlanta, Georgia (Cherokee, Forsyth, Hall, Jackson, Barrow, Gwinnett, Walton, DeKalb, Rockdale, Fulton, Clayton, Cobb and Paulding Counties); Cape Girardeau, Missouri (Cape Girardeau County); Charlotte, North Carolina (Mecklenburg County); Cleveland, Ohio (Cuyahoga County); Denver, Colorado (Denver and Arapahoe Counties); Flint, Michigan (Saginaw and Genesee Counties); Fort Worth, Texas (Tarrant County); Greenville-Spartanburg, South Carolina (Greenville and Spartanburg Counties); Houston, Texas (Harris County); Los Angeles, California (Los Angeles County); Northwest Indiana (Lake, Porter and LaPorte Counties); Philadelphia, Pennsylvania (Philadelphia County); and San Francisco, California (Contra Costa, Solano and Alameda Counties).” Compl. ¶ 22.</p>
100	UNITED STATES v. INBEV N.V./S.A.	United States District Court, District of Columbia	11/14/2008	No. 08CV01965	2008 WL 4919130	“The metropolitan areas of Buffalo, Rochester, and Syracuse constitute three separate, relevant geographic markets for the sale of beer within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 19.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
101	UNITED STATES v. JBS S. A.	United States District Court, N.D. Illinois, Eastern Division	11/07/2008	No. 108CV05992	2008 WL 5560009	The complaint alleged that “[r]elevant geographic markets for the purchase of fed cattle within the meaning of Section 7 of the Clayton Act are the High Plains and the Southwest regions of the United States.” Compl. ¶ 31. The complaint identified the High Plains as “a region often referred to as the ‘Beef Belt,’ which is centered in Colorado, western Iowa, Kansas, Nebraska, Oklahoma, and Texas.” <i>Id.</i> ¶ 13. And it defined “the Southwest” as “[a]n area centered in the Imperial Valley of California, encompassing parts of southern California and Arizona.” <i>Id.</i> ¶ 15.
102	UNITED STATES v. VERIZON COMMUNICATIONS INC.	United States District Court, District of Columbia	10/30/2008	No. 08CV01878	2008 WL 4919129	“The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. § 18, where the transaction would substantially lessen competition for mobile wireless telecommunications services are effectively represented by the 94 FCC spectrum licensing areas specified in Appendix A.” Compl. ¶¶ 15-16.
103	UNITED STATES v. MANITOWOC CO., INC.	United States District Court, District of Columbia	10/06/2008	No. 108-CV-01704	2008 WL 5680048	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 20.
104	UNITED STATES v. VERIZON COMMUNICATIONS INC.	United States District Court, District of Columbia	06/10/2008	No. 108-cv-00993	2008 WL 2814417	“The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. §18, where the transaction will substantially lessen competition for mobile wireless telecommunications services are effectively represented by the following FCC spectrum licensing areas: Burlington, Vermont (CMA 248); New York RSA-2 (CMA 560); Vermont RSA-1 (CMA 679); Vermont RSA-2 (CMA 680); Washington RSA-2 (CMA 694); and Washington RSA-3 (CMA 695).” Compl. ¶ 16.
105	UNITED STATES v. CENGAGE LEARNING HOLDINGS I, L.P.	United States District Court, District of Columbia	05/28/2008	No. 108-cv-00899	2008 WL 2814412	“For each relevant product market alleged herein, the United States constitutes a relevant geographic market pursuant to Section 7 of the Clayton Act.” Compl. ¶ 15.
106	UNITED STATES v. REGAL CINEMAS, INC.	United States District Court, District of Columbia	04/29/2008	No. 108-cv-00746	2008 WL 2814407	The complaint identified the relevant geographic markets for the exhibition of first-run, commercial movies as “[S]outhern Charlotte, North Carolina,” “Northern Raleigh, North Carolina,” and “Asheville, North Carolina.” Compl. ¶¶ 19-27. It additionally highlighted the specific movie theaters owned by the defendants in each market, as well as the number of competing theaters that also showed first-run commercial movies in each market. <i>Id.</i>
107	UNITED STATES v. ALTIVITY PACKAGING LLC	United States District Court, District of Columbia	03/05/2008	No. 108CV00400	2008 WL 2150286	“North America is a relevant geographic market for the supply of CRB, and for the supply of CRB and CUK, within the meaning of the Clayton Act.” Compl. ¶ 16.
108	UNITED STATES v. COOKSON GROUP PLC	United States District Court, District of Columbia	03/04/2008	No. 108CV00389	2008 WL 2524321	“[W]ithin the meaning of Section 7 of the Clayton Act, the relevant geographic market for ladle shrouds and stopper rods is North America.” Compl. ¶ 23.
109	UNITED STATES v. UNITEDHEALTH GROUP INC.	United States District Court, District of Columbia	02/25/2008	No. 1:08-cv-00322-ESH	2008 WL 760996	“[T]he Las Vegas area is a relevant geographic market or section of the country within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 19.



No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
110	UNITED STATES v. THOMSON CORP.	United States District Court, District of Columbia	02/19/2008	No. 1:08-cv-00262	2008 WL 760995	“The world constitutes a relevant geographic market under Section 7 of the Clayton Act [.]” Compl. ¶ 32.
111	UNITED STATES v. BAIN CAPITAL, LLC	United States District Court, District of Columbia	02/13/2008	No. 1:08-cv-00245	2008 WL 760994	The complaint identifies the Houston and Cincinnati MSAs and the Houston, Las Vegas, and San Francisco MSAs as the relevant geographic markets within the meaning of Section 7 of the Clayton Act. <i>See</i> Compl. ¶¶ 26-27.
112	UNITED STATES v. PEARSON PLC	United States District Court, District of Columbia	01/24/2008	No. 1:08-cv-00143	2008 WL 511408	“[T]he United States constitutes the relevant geographic market pursuant to Section 7 of the Clayton Act.” Compl. ¶ 34.
113	UNITED STATES v. COMMSCOPE, INC.	United States District Court, District of Columbia	12/06/2007	No. 1:07-cv-02200	2007 WL 4535874	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶ 15.
114	UNITED STATES v. VULCAN MATERIALS CO.	United States District Court, District of Columbia	11/13/2007	No. 1:07-cv-02044	2007 WL 4460593	The complaint defines “the relevant geographic markets, within the meaning of Section 7 of the Clayton Act, [as] locations of coarse aggregate customers in: Northwest Atlanta, West Atlanta, Southwest Atlanta, South Atlanta, Southeast Atlanta, Columbus, Chattanooga, and South Hampton Roads.” Compl. ¶ 34. It defines “Northwest Atlanta” as “a geographic area that includes, among other areas, all or part of Floyd, Polk, Haralson, and Bartow Counties in Georgia[.]” <i>Id.</i> ¶ 18. It defines “West Atlanta” as “a geographic area that includes, among other areas, all or part of Paulding, Douglas, Carroll, Haralson, Polk, and Cobb Counties in Georgia[.]” <i>Id.</i> ¶ 20. It defines “Southwest Atlanta” as “a geographic area that includes, among other areas, all or part of Fulton, Coweta, Fayette, and Clayton Counties in Georgia[.]” <i>Id.</i> ¶ 22. It defines “South Atlanta” as “a geographic area that includes, among other areas, all or part of Fulton, Clayton, Henry, DeKalb, and Fayette Counties in Georgia[.]” <i>Id.</i> ¶ 24. It defines “Southeast Atlanta” as “a geographic area that includes, among other areas, all or part of Spalding and Henry Counties in Georgia[.]” <i>Id.</i> ¶ 26. It defines “Columbus” as “a geographic area that includes, among other areas, all or part of Muscogee and Harris Counties in Georgia[.]” <i>Id.</i> ¶ 28. It defines “Chattanooga” as “a geographic area that includes, among other areas, all or part of Hamilton County in Tennessee[.]” <i>Id.</i> ¶ 30. It defines “South Hampton Roads” as “a geographic area that includes, among other areas, all or part of the cities of Norfolk, Suffolk, Portsmouth, Chesapeake, and Virginia Beach in Virginia[.]” <i>Id.</i> ¶ 32.
115	UNITED STATES v. AT&T INC.	United States District Court, District of Columbia	10/30/2007	No. 1:07-cv-01952	2007 WL 4189434	“The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. §18, where the transaction will substantially lessen competition for mobile wireless telecommunications services are represented by the following FCC spectrum licensing areas: Kentucky RSA-6 (CMA 448); Kentucky RSA-8 (CMA 450); Missouri RSA-1 (CMA 504); Oklahoma RSA-5 (CMA 600); Pennsylvania RSA-5 (CMA 616); Texas RSA-9 (CMA 660); and Texas RSA-11 (CMA 662).” Compl. ¶ 17.
116	UNITED STATES v. MONSANTO CO.	United States District Court, District of Columbia	05/31/2007	No. 07CV00992	2007 WL 2273004	The complaint alleges that “the MidSouth and Southeast United States are sections of the country or geographic markets, within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 36. It defines “MidSouth” as “Mississippi, Arkansas, Louisiana, Missouri, and Tennessee,” and “Southeast” as “Alabama, Georgia, Florida, South Carolina, North Carolina, and Virginia.” <i>Id.</i> ¶ 4.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
117	UNITED STATES v. DAILY GAZETTE CO.	United States District Court, S.D. West Virginia, Charleston Division	05/22/2007	No. 2:07-0329	2007 WL 1571956	"[T]he Charleston, West Virginia area is a section of the country and a relevant geographic market within the meaning of Section 7 of the Clayton Act and for purposes of Sections 1 and 2 of the Sherman Act." Compl. ¶ 30.
118	UNITED STATES v. AMSTED INDUSTRIES, INC.	United States District Court, District of Columbia	04/18/2007	No. 07CV00710	2007 WL 2060884	"The United States is the relevant geographic market for purposes of analyzing the effects of the acquisition under Section 7 of the Clayton Act and Section 2 of the Sherman Act." Compl. ¶ 22.
119	UNITED STATES v. CEMEX, S.A.B. DE C.V.	United States District Court, District of Columbia	04/04/2007	No. 07CV00640	2007 WL 1257823	The complaint identifies relevant geographic markets for each relevant product line. "The relevant geographic markets, within the meaning of Section 7 of the Clayton Act, consist of the locations within the metropolitan areas of Fort Walton Beach/Panama City/Pensacola, Jacksonville, Orlando, Tampa/St. Petersburg, Fort Myers/Naples, Florida, and the metropolitan areas of Flagstaff and Tucson, Arizona[.]" Compl. ¶ 35. For concrete block, the complaint identified "metropolitan Tampa/St. Petersburg" as "a relevant geographic market within the meaning of Section 7 of the Clayton Act," <i>id.</i> ¶ 38, and "Fort Myers/Naples" as "a relevant geographic market within the meaning of Section 7 of the Clayton Act," <i>id.</i> ¶ 40. For Aggregate—"a bulky, heavy, and relatively low-cost product," <i>id.</i> ¶ 41—"metropolitan Tucson is a relevant geographic market within the meaning of Section 7 of the Clayton Act," <i>id.</i> ¶ 44.
120	UNITED STATES v. ALLTEL CORP.	United States District Court, D. Minnesota	09/07/2006	No. 0:06-cv-03631	2006 WL 2737679	"The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. § 18, where the transaction will substantially lessen competition for mobile wireless telecommunications services are represented by the following FCC spectrum licensing areas which are all RSAs located in southern Minnesota: Minnesota RSA-7 (CMA 488), Minnesota RSA-8 (CMA 489), Minnesota RSA-9 (CMA 490), and Minnesota RSA-10 (CMA 491)." Compl. ¶ 16. The complaint defines "RSA" as "Rural Service Area." <i>Id.</i> ¶ 10.
121	UNITED STATES v. MITTAL STEEL COMPANY N.V.	United States District Court, District of Columbia	08/01/2006	Case No. 06CV01360	2006 WL 2705782	The complaint alleges that the "Eastern United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act." Compl. ¶ 23. It defines "Eastern United States" as "the portion of the United States east of the Rocky Mountains." <i>Id.</i> ¶ 2.
122	UNITED STATES v. McCLATCHY CO.	United States District Court, District of Columbia	06/27/2006	Civil No.: 06CV01175	2006 WL 2304542	"[T]he Minneapolis/St. Paul metropolitan area in the state of Minnesota is a section of the country, or a relevant geographic market, within the meaning of Section 7 of the Clayton Act." Compl. ¶ 18.
123	UNITED STATES v. INCO LTD.	United States District Court, District of Columbia	06/23/2006	Case Number 1:06CV01151	2006 WL 2304490	"[T]he world is the relevant geographic market within the meaning of Section 7 of the Clayton Act." Compl. ¶ 26.



No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
124	UNITED STATES v. EXELON CORP.	United States District Court, District of Columbia	06/22/2006	No. 1:06CV01138	2006 WL 1746408	The complaint identifies “PJM East” as a “relevant geographic market and section of the country within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 27. It defines “PJM East” as “the densely populated northern New Jersey and Philadelphia areas,” defined by “a set of five major transmission lines that divides New Jersey and the Philadelphia area from the rest of the PJM control area.” <i>Id.</i> ¶ 21. The complaint also identifies “PJM Central/East” as “a relevant geographic market and a section of the country within the meaning of Section 7 of the Clayton Act.” <i>Id.</i> ¶ 29. It defines “PJM Central/East” as “defined by two major transmission lines known as ‘5004’ and ‘5005’ that run from western to central Pennsylvania and divide the area east of the lines . . . from the rest of PJM.” <i>Id.</i> ¶ 23.
125	UNITED STATES v. MARQUEE HOLDINGS, INC.	United States District Court, S.D. New York	12/22/2025	No. 05 CV 10722	2005 WL 3617528	“The exhibition of first-run films in Chicago North, Midtown Manhattan, downtown Seattle, downtown Boston, and north Dallas each constitutes a relevant market (i.e., a line of commerce and a section of the country) within the meaning of Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶ 27.
126	UNITED STATES v. UNITEDHEALTH GROUP INC.	United States District Court, District of Columbia	12/20/2005	No. 1:05CV02436	2005 WL 3617530	“The Tucson MSA is a relevant geographic market, and a section of the country under Section 7 of the Clayton Act.” Compl. ¶ 25. “[T]he Boulder MSA and Tucson MSA are relevant geographic markets, and sections of the country under Section 7 of the Clayton Act.” <i>Id.</i> ¶ 35. “[V]arious MSAs within the State of California are relevant geographic markets, and sections of the country under Section 7 of the Clayton Act.” <i>Id.</i> ¶ 51.
127	UNITED STATES v. VERIZON COMMUNICATIONS INC.	United States District Court, District of Columbia	10/27/2005	No. 1:05-cv-02103-HHK	2005 WL 3090880	The complaint alleged that the “relevant geographic markets for both Local Private Lines, as well as voice and data telecommunications services that rely on Local Private Lines, are no broader than each metropolitan area and no more narrow than each individual building.” Compl. ¶ 24. The complaint identified the following metropolitan areas: “Baltimore-Washington, D.C.; Boston, Massachusetts; New York, New York; Richmond, Virginia; Providence, Rhode Island; Tampa, Florida; Philadelphia, Pennsylvania; and Portland, Maine.” <i>See id.</i> ¶ 3.
128	UNITED STATES v. SBC COMMUNICATIONS, INC.	United States District Court, District of Columbia	10/27/2005	No. 1:05-cv-02102-EGS	2005 WL 3174508	The complaint alleged that the “relevant geographic markets for both Local Private Lines, as well as voice and data telecommunications services that rely on Local Private Lines, are no broader than each metropolitan area and no more narrow than each individual building.” Compl. ¶ 24. The complaint identified the following metropolitan areas: “Chicago, Illinois; Dallas-Fort Worth, Texas; Detroit, Michigan; Hartford-New Haven, Connecticut; Indianapolis, Indiana; Kansas City, Missouri; Los Angeles, California; Milwaukee, Wisconsin; San Diego, California; San Francisco-San Jose, California; and St. Louis, Missouri.” <i>See id.</i> ¶ 3.
129	UNITED STATES v. CAL DIVE INTERNATIONAL, INC.	United States District Court, District of Columbia	10/18/2005	No. 1:05-cv-02041-EGS	2005 WL 3090878	“The United States Gulf of Mexico is a relevant geographic antitrust market and a section of the country within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 20.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
130	UNITED STATES v. ALLTEL CORP.	United States District Court, District of Columbia	07/06/2005	No. 1:05CV01345	2005 WL 1978691	“The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. § 18, where the transaction will substantially lessen competition for mobile wireless telecommunications services are represented by the following FCC spectrum licensing areas which are all Rural Service Areas: Arkansas RSA-11 (CMA 334), Kansas RSA-3 (CMA 430), Kansas RSA-4 (CMA 431), Kansas RSA-8 (CMA 435), Kansas RSA-9 (CMA 436), Kansas RSA-10 (CMA 437), Kansas RSA-14 (CMA 441), Nebraska RSA-2 (CMA 534), Nebraska-RSA 3 (CMA 535), Nebraska RSA-4 (CMA 536), Nebraska RSA-5 (CMA 537), Nebraska RSA-6 (CMA 538), Nebraska RSA-7 (CMA 539), Nebraska RSA-8 (CMA 540), Nebraska RSA-9 (CMA 541), and Nebraska RSA-10 (CMA 542).” Compl. ¶ 16.
131	UNITED STATES v. CINGULAR WIRELESS CORP.	United States District Court, District of Columbia	10/25/2004	No. 1:04CV01850	2004 WL 2584838	“The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. § 18, where the transaction will substantially lessen competition for mobile wireless telecommunications services are represented by the following FCC spectrum licensing areas: Oklahoma City, Oklahoma (CMA 045), Topeka, Kansas (CMA 179), Pittsfield, Massachusetts (CMA 213), Athens, Georgia (CMA 234), St. Joseph, Missouri (CMA 275), Connecticut RSA-1 (CMA 357), Kentucky RSA-1 (CMA 443), Oklahoma RSA-3 (CMA 598), Texas RSA-11 (CMA 662), and Shreveport, Louisiana (BTA 419).” Compl. ¶ 22. “The relevant geographic markets, under Section 7 of the Clayton Act, 15 U.S.C. § 18, where the transaction will substantially lessen competition for mobile wireless broadband services are represented by the following FCC spectrum licensing areas: Dallas-Fort Worth, Texas (CMA 009), Detroit, Michigan (BTA 112), and Knoxville, Tennessee (BTA 232).” <i>Id.</i> ¶ 23.
132	UNITED STATES v. CONNORS BROS. INCOME FUND	United States District Court, District of Columbia	08/31/2004	No. 04-CV-01494	2004 WL 2248602	“The relevant geographic market, therefore, within the meaning of Section 7 of the Clayton Act is no larger than the United States.” Compl. ¶ 14.
133	UNITED STATES OF AMERICA v. SYNGENTA AG	United States District Court, District of Columbia	08/25/2004	Civil Case No.: 04CV01442	2004 WL 2199489	“The United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 17.
134	UNITED STATES OF AMERICA v. ORACLE CORP.	United States District Court, N.D. California, San Francisco Division	02/26/2004	Case No. 040807	2004 WL 3789327	“The United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 26.
135	UNITED STATES v. DNH INTERNATIONAL SARL	United States District Court, District of Columbia	12/02/2003	Case No. 03CV02486	2003 WL 23780305	The complaint alleges that the relevant geographic market under Section 7 of the Clayton Act is Western North America, which the complaint defines as the “eleven contiguous western-most states in the United States and the Canadian provinces of British Columbia, Alberta, and Saskatchewan.” Compl. ¶¶ 14, 16.
136	UNITED STATES v. UPM-KYMMENE	United States District Court, M.D. Pennsylvania	11/21/2003	No. 03CV02000	2003 WL 25757616	“The relevant geographic market affected by the proposed transaction is North America (meaning the United States and Canada).” Compl. ¶ 21.
137	UNITED STATES OF AMERICA v. FIRST DATA CORP.	United States District Court, District of Columbia	10/23/2003	No. 1:03CV02169	2003 WL 22762657	“[T]he United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act, 15 U.S.C. § 18.” Compl. ¶ 29.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
138	UNITED STATES v. ALCAN INC.	United States District Court, District of Columbia	09/23/2003	Case No. 1:03CV02012	2003 WL 23325599	“North America is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 18.
139	UNITED STATES v. GENERAL ELECTRIC CO.	United States District Court, District of Columbia	09/16/2003	Civil Action No. 03CV01923	2003 WL 23780957	The complaint alleged that “the United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶¶ 17, 37.
140	UNITED STATES v. WASTE MANAGEMENT, INC.	United States District Court, District of Columbia	06/27/2003	Case Number 1:03CV01409	2003 WL 23781846	The complaint alleged that the relevant geographic markets under Section 7 of the Clayton Act for local small container commercial waste collection included “Pitkin County, Colorado; Garfield County, Colorado; Augusta, Georgia; Myrtle Beach, South Carolina; Morris County, New Jersey; and Bergen and Passaic Counties, New Jersey.” Compl. ¶ 24. The complaint further alleged that the relevant geographic markets under Section 7 of the Clayton Act for the disposal of municipal solid waste included Bergen and Passaic Counties, New Jersey, and the Tulsa and Muskogee, Oklahoma, area. <i>See id.</i> ¶¶ 26-27.
141	UNITED STATES v. DAIRY FARMERS OF AMERICA, INC.	United States District Court, E.D. Kentucky	04/24/2003	Civil Action No.: 6:03-206	2003 WL 24087862	The complaint alleged that the school districts listed in Attachments A and B to the complaint constituted the relevant geographic markets within the meaning of Section 7 of the Clayton Act. <i>See</i> Compl. ¶ 29.
142	UNITED STATES v. UPM-KYMMENE	United States District Court, N.D. Illinois, Eastern Division	04/15/2003	No. 03C 2528	2003 WL 22297158	“The relevant geographic market affected by the proposed transaction is North America (meaning the United States and Canada).” Compl. ¶ 21.
143	UNITED STATES v. UNIVISION COMMUNICATIONS INC.	United States District Court, District of Columbia	03/26/2003	Civil Action No. CV03-00758	2003 WL 23781621	The complaint explained that a “Metro Survey Area (MSA) is a geographical unit for which Arbitron, a company that surveys radio listeners, furnishes radio stations, advertisers, and advertising agencies in a particular area with data to aid in evaluating radio audience size composition.” Compl. ¶ 16. The complaint then identified “the Dallas, El Paso, Las Vegas, McAllen-Brownsville-Harlingen, Phoenix, and San Jose MSAs” as “relevant geographic markets within the meaning of Section 7 of the Clayton Act.” <i>Id.</i> ¶ 18.
144	UNITED STATES v. GEMSTAR-TV GUIDE INTERNATIONAL, INC.	United States District Court, District of Columbia	02/06/2003	Civil Action No. 03CV00198	2003 WL 23780801	“The relevant geographic market is the United States.” Compl. ¶ 22.
145	UNITED STATES v. WASTE MANAGEMENT, INC.	United States District Court, District of Columbia	10/14/2003	Case No. 03CV02076	2003 WL 23780500	“The open areas of Broward County is a section of the country, or relevant geographic market, for purposes of analyzing the effects of the acquisition under Section 7 of the Clayton Act.” Compl. ¶ 19.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
146	UNITED STATES v. ECHOSTAR COMMUNICATIONS CORP.	United States District Court, District of Columbia	10/31/2002	1:02CV01138-ESH	2002 WL 32388018	The complaint alleged that a proposed merger between two satellite multichannel video programming distribution (“MVPD”) providers was anticompetitive. <i>See</i> Compl. ¶ 30. The satellite companies “can reach any customer in the continental United States with an unobstructed view of the satellite.” <i>Id.</i> But cable-system providers of MVPD services “must obtain a cable franchise from local, municipal, or state authorities” to “construct and operate a cable system in a specific area and, in fact, build wires out to the homes in that area.” <i>Id.</i> “Consumers cannot purchase MVPD services from a cable firm operating outside their area because that firm does not have the authority to run wires to the consumer’s home.” <i>Id.</i> “Thus, although the set of MVPD providers able to offer service to individual consumers’ residences generally is the same within each local community, it differs from one local community to another.” <i>Id.</i> The complaint alleged that MVPD services are provided in local markets across the United States and that these local markets were the relevant geographic markets under Section 7 of the Clayton Act. <i>See id.</i> The Complaint alleged that, for 95% of local MVPD markets, the relevant MVPD providers are the two satellite providers and a single cable provider. <i>See id.</i> ¶ 31. For the remaining 5% of local MVPD markets, the complaint alleged that the relevant MVPD providers are the two satellite providers and two cable providers. <i>See id.</i> Thus, the specific relevant geographic markets were readily identifiable based on the MVPD providers in each locality.
147	UNITED STATES v. GENERAL DYNAMICS CORP.	United States District Court, District of Columbia	10/23/2001	No. 1:00CV02200	2001 WL 34134924	“The United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 21.
148	UNITED STATES v. AKTIEBOLAGET VOLVO	United States District Court, District of Columbia	12/18/2020	No. 100CV03006	2000 WL 34015454	“The United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 18.
149	UNITED STATES v. CLEAR CHANNEL COMMUNICATIONS, INC.	United States District Court, District of Columbia	08/29/2000	No. 1:00CV02063	2000 WL 35588061	The complaint identified the relevant geographic markets for purposes of Section 7 of the Clayton Act as the following metro survey areas: Allentown, Denver, Harrisburg, Houston, and Pensacola. <i>See</i> Compl. ¶¶ 15-20.
150	UNITED STATES v. COMPUWARE CORP.	United States District Court, District of Columbia	10/29/1999	No. 1:99CV02884	1999 WL 34836140	“For each of the relevant products, the relevant geographic market within the meaning of Section 7 of the Clayton Act is worldwide.” Compl. ¶ 22.
151	UNITED STATES v. ALLIED WASTE INDUSTRIES, INC.	United States District Court, District of Columbia	07/20/1999	No. 99CV01962	1999 WL 34863563	The complaint identified local small container commercial waste collection areas in Akron/Canton, Boston, Charlotte, Chicago, Dallas, Davenport/Moline, Denver, Detroit, Evansville, Kalamazoo/Battle Creek, Oklahoma City, Rock Falls/Dixon, Rockford, and Springfield as relevant geographic markets under Section 7 of the Clayton Act. <i>See</i> Compl. ¶ 38. The complaint further identified landfill sites in Akron/Canton, Atlanta, Boston, Charlotte, Chicago, Moline, Denver, Detroit, Evansville, Joplin/Lamar, Kalamazoo/Battle Creek, Oakland, Oklahoma City, and Springfield as relevant geographic markets under Section 7 of the Clayton Act. <i>See id.</i> ¶ 40.
152	UNITED STATES v. HALLIBURTON CO.	United States District Court, District of Columbia	09/29/1998	No. 1:98CV02340	1998 WL 35242730	“The United States is a relevant geographic market for this relevant product market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 17.

No.	Case Name	Jurisdiction	Filed Date	Docket No.	Citation	Excerpts from Complaint
153	UNITED STATES v. LOCKHEED MARTIN CORP.	United States District Court, District of Columbia	03/23/1998	No. 1:98CV00731	1998 WL 35242728	“The United States is a relevant geographic market within the meaning of Section 7 of the Clayton Act.” Compl. ¶ 55.
154	UNITED STATES v. GENERAL MOTORS CORP.	United States District Court, D. Delaware	11/16/1993	No. 93-530	1993 WL 13610315	The complaint identified relevant geographic markets by product. For the sale of automatic transmissions for transit buses, the complaint alleged that the relevant geographic market was the United States. <i>See</i> Compl. ¶ 23. So too for the sale of automatic transmissions for heavy refuse route trucks. <i>Id.</i> ¶ 31. Finally, the complaint alleged that the world is the relevant geographic market for technological innovation in the design, development, and production of medium and heavy automatic transmissions for commercial and military vehicles. <i>Id.</i> ¶ 39.
155	UNITED STATES v. TIDEWATER, INC.	United States District Court, District of Columbia	01/13/1992	No. 92 0106	1992 WL 12574993	The complaint identified the relevant geographic market within the meaning of Section 7 of the Clayton Act as the United States Gulf of Mexico. <i>See</i> Compl. ¶ 16.