

From: Hoffman, Bruce
Sent: Thu, 7 Nov 2019 18:03:29 -0500
To: 1029DL;1030DL;1031DL;1032DL;1035DL;1037DL;1039DL;1040DL;1041DL;1042DL;1067DL;1091DL;1093DL;1095DL;1688DL-BCAttorneys;1689DL;1691DL
Subject: Another great win!

All:

I am really pleased to be able to send out another congratulatory email for another fantastic result. As you all have probably seen, thanks to the hard work of the Otto Bock team and Daniel Zach's strong argument to the Commission, the Commission has unanimously affirmed the Bureau's win before the ALJ. The Commission found Otto Bock's acquisition of its microprocessor knee competitor Freedom to be anticompetitive, found that the remedy proposed by the trial team and recommended by the ALJ was appropriate, and rejected Otto Bock's defenses (including a series of Constitutional and other arguments raised in a "kitchen-sink" style approach on appeal). The Commission's decision addresses numerous arguments that parties raise in mergers, and is worth a close read. Please join me in congratulating the entire Otto Bock team on this victory.

Best regards,

Bruce

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