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Expanded HSR Filing Requirements Remain in Effect Until Further Notice

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The Federal Trade Commission (FTC) is appealing the federal court's [decision](#) vacating the FTC's more expansive premerger notification rules and sought an administrative stay of the federal court decision through March 2, 2026, which was unopposed. The Fifth Circuit granted the stay until further order from the court. This means that the more expansive filing requirements remain in effect for filings submitted pursuant to the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (HSR Act). (For our prior client alert discussing the decision vacating the FTC's more expansive premerger notification rules the decision, see [here](#).)

Given the continuing uncertainty as to how long a stay will remain in place as well as whether the FTC's appeal will be successful, parties should be prepared to adapt quickly between the requirements of the old (less burdensome) and current (more expansive) HSR rules.

We are monitoring this developing situation and will provide updates as available.

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If you have questions concerning the contents of this issue, or would like more information about Weil's Antitrust practice group, please speak to your regular contact at Weil or to an author listed below:

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