

Mother, May I? The Use of Prior Approval Requirements in Merger Settlements

A photograph of a modern building's curved facade with large glass windows, set against a light blue sky. The building is on the right side of the page, partially cut off by the edge.

PODCAST | 1 MIN READ

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Federal enforcers continue to refine the tools they use in merger enforcement—including the use of prior approval provisions, once considered an extraordinary remedy in merger settlements. In this episode, Managing Partner [Jeny Maier](#) joins co-host Anora Wang in conversation with former FTC policy leader Bilal Sayyed to examine how these provisions have evolved across administrations and what their changing use reveals about current agency policy.

Jeny, Anora, and Bilal discuss how prior approval differs from traditional Hart-Scott-Rodino review, the circumstances in which the FTC and DOJ have relied on these provisions in past settlements, and why their recent rise and retreat have drawn attention from practitioners and dealmakers.

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