

13 FEBRUARY 2026

## Court Vacates New HSR Rules, Stays Applicability for Seven Days

On Thursday, February 12, 2026, one year and two days to the date of the Federal Trade Commission's [new rules](#) under the Hart-Scott-Rodino Act (HSR Act) becoming effective, the U.S. District Court for the Eastern District of Texas issued an order **vacating** the new rules in their entirety. The new rules significantly expanded the documentary and informational disclosures required under the HSR Act. The court found that the FTC exceeded its statutory authority and engaged in "arbitrary and capricious" rulemaking by failing to demonstrate that the benefits of the new rules reasonably outweighed their substantial costs.

### Key Takeaways

1. The new HSR rules are vacated in their entirety. **However**, the order is stayed for seven days to allow the FTC to seek emergency relief from the U.S. Court of Appeals for the Fifth Circuit.
2. The Premerger Notification Office confirmed that the new rules remain in place through **Thursday, February 19, 2026**.
3. The Kirkland HSR team will continue to monitor the situation closely.

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Please visit the Kirkland [New HSR Rule Developments Page](#) for more information.

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