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June 7, 2024

**Via E-mail**

**Re: Hill-Rom Hospital Bed Antitrust Litigation Investigation Retainer Letter**

Dear \_\_\_\_\_:

I hope this letter finds you well. As you are aware, my firm has investigated possible violations of federal antitrust law by Defendants Hill-Rom Holdings, Inc., Hill-Rom Company, Inc., and Hill-Rom Services, Inc. The alleged violations parallel the claims alleged in an underlying case brought by a competitor of defendants: *Linnet Americas, Inc. v. Hill-Rom Holdings, Inc, et al*, 21-CV-6890 (N.D. Ill. Dec. 28, 2021).

The gravamen of the allegations is that Hill-Rom is foreclosing the distribution channel by which suppliers sell hospital beds and other medical equipment to health care providers through a series exclusionary tactics. Specifically, over the past decade and continuing today, Hill-Rom has used its market power to impose long-term, exclusive “Corporate Enterprise Agreements” and analogous exclusionary contracts (“CEAs”) on hospital systems throughout the U.S. that prevent them and their constituent hospitals from contracting with other hospital bed suppliers.

By unlawfully exploiting its monopoly power to exclude competition, Hill-Rom has foreclosed would-be rivals from being able to discipline Hill-Rom’s monopoly power and pricing, and thereby Hill-Rom has been able to charge, and has charged, supracompetitive prices to Plaintiffs and similarly situated hospitals for hospital beds.

We understand that you made direct purchasers of Standard Hospital Beds, ICU Beds, and/or Birthing Beds from Hill-Rom during the past four years. Therefore, you likely have standing to bring a claim. Based on our investigation, we believe the matter has substantial merit.

Countersigning this letter will confirm that you have retained Grabar, LLC, d/b/a Grabar Law Office (the “Law Firm”), as your counsel to investigate, and if appropriate, bring an action alleging violations of federal law as previously described. The action will be brought as a class action on behalf of all persons and entities that we determine have been adversely affected by the violations alleged in the complaint. The Law Firm has agreed to bring this action on a contingency basis. **You will not be responsible for paying any of the Law Firm’s fees in connection with this litigation.** Our attorneys' fees and reimbursement of our expenses will be paid as the Court may permit and approve out of any proceeds, by judgment or out-of-court settlement that may be obtained for the benefit of the plaintiffs and class members. The Law Firm will be working in coordination with, and may affiliate as co-counsel with, other law firms in litigating this matter. The Law Firm together with all other such attorneys will advance the costs of the case. **You will not be responsible for paying any of the attorneys' expenses in connection with this litigation.** The Law Firm together with all other such attorneys will also indemnify you for any direct costs associated with participation in the lawsuit, should there be any.

**Grabar Law Office**

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I am forwarding a draft complaint for you to review and accept prior to filing on your behalf.

By countersigning this letter, you further confirm that I have advised you that you should not destroy or alter, and that you should retain and preserve, any and all papers or electronic files which relate in any way to your interactions and transactions with the Defendants in this action, and to the claims asserted in this action generally. This preservation confirmation includes not only preservation of hard copy paper but also of data generated by and/or stored on your electronic storage media (*e.g.*, hard drives, floppy disks, back-up tapes or other electronic media, if any).

Please countersign this letter and return it to me via DocuSign, e-mail at [jgrabar@grabarlaw.com](mailto:jgrabar@grabarlaw.com), or fax to 267-507-6048 to indicate your agreement and authorization to proceed with filing this case on your behalf. If you have any questions, please do not hesitate to call me at my office or my cellular phone. I will, of course, be pleased to answer any questions you may have.

I appreciate this opportunity to represent you in this matter and hope that it can be concluded to your satisfaction.

Agreed and Acknowledged:

Date \_\_\_\_\_

On behalf of

\_\_\_\_\_  
Joshua H. Grabar, Esq.  
Grabar Law Office