

have agreed to abide by and comply with all terms and provisions of the proposed Final Judgment pending its entry.

4. Pursuant to 15 U.S.C. § 16(b), the United States will soon file a Competitive Impact Statement relating to the proposed Final Judgment.

5. The APPA requires that the United States publish the proposed Final Judgment and the Competitive Impact Statement in the *Federal Register* and in certain newspapers at least sixty (60) days before the effective date of the Final Judgment. The notice will inform the public that they may review the Complaint, proposed Final Judgment, Competitive Impact Statement, and Hold Separate Stipulation and Order filed in this matter, and submit comments about the proposed Final Judgment to the United States Department of Justice, Antitrust Division. 15 U.S.C. §§ 16(b)-(c).

6. During the sixty-day period, the United States will consider, and at the close of that period, respond to, any comments that it has received. The United States will then file with the Court and publish in the *Federal Register* the comments and the United States' responses thereto. 15 U.S.C. § 16(d).

7. After the sixty-day period expires, the United States may ask the Court to enter the proposed Final Judgment (unless the United States has decided to withdraw its consent to entry of the Final Judgment, as permitted by Hold Separate Stipulation and Order). *See* 15 U.S.C. § 16(d).

8. If the United States requests that the Court enter the Final Judgment after compliance with the APPA, then the Court may enter the Judgment with or without a hearing, provided that it concludes that entry of the Final Judgment is in the public interest. 15 U.S.C. §§ 16(e)-(f).

Dated: September 16, 2003.

Respectfully submitted,

/s/

Joan Hogan, D.C. Bar No. 451240
Michael Dashefsky, D.C. Bar No. 477868
Matthew Bester, D.C. Bar No. 465374
Jill Beard
Gregg Malawar, D.C. Bar No. 481685
Leigh Lani Brown
Attorneys
U.S. Department of Justice
Antitrust Division
Litigation III Section
325 7th Street, N.W., Suite 300
Washington, D.C. 20530
Tel: 202-616-5937
Fax: 202-307-9952