UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, Plaintiff, v. REPUBLIC SERVICES, INC., and ALLIED WASTE INDUSTRIES, INC., Defendants.	00 CV 2311

EXPLANATION OF CONSENT DECREE PROCEDURES

The United States submits this short memorandum summarizing the procedures prescribed by the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) ("APPA"), which applies to civil antitrust cases brought and settled by the United States.

1. Today, the United States has filed a Complaint, a proposed Final Judgment, and a Hold Separate Stipulation and Order between the parties by which they have agreed that the Court may enter the proposed Final Judgment following the United States's compliance with the APPA.

2. The United States soon will file a Competitive Impact Statement relating to the proposed Final Judgment [15 U.S.C. § 16(b)].

3. 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 days prior to entry of the proposed Final Judgment. The notices will inform members of the

public that they may submit comments about the proposed Final Judgment to the United States Department of Justice, Antitrust Division. 15 U.S.C. § 16(b)-(c).

4. 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, and it will publish the comments and its responses in the Federal Register.

5. After the expiration of the sixty-day period, the United States will file with the Court the comments and its responses, see 15 U.S.C. §16(d), and it may ask the Court to enter the proposed Final Judgment unless it has decided to withdraw its consent to entry of the proposed Final Judgment, as permitted by Section IV(A) of the Hold Separate Stipulation and Order.

6. If the United States requests that the Court enter the proposed Final Judgment after compliance with the APPA, the Court may enter the proposed Final Judgment without a hearing, if it finds that the proposed Final Judgment is in the public interest. 15 U.S.C. §16(e)-(f).

Dated: 9/27/00

Respectfully submitted,

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