## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
Plaintiff,	) Case No. 1:99 CV 01962	,
v. ALLIED WASTE INDUSTRIES, INC., and	) ) ) JUDGE: Ricardo M. Urbi )	ina
BROWNING-FERRIS INDUSTRIES, INC.,	) DECK TYPE: Antitrust	
Defendants.	) DATE STAMP: 07/20/19	999

## UNITED STATES'S EXPLANATION OF CONSENT DECREE PROCEDURES

The United States submits this short memorandum summarizing the procedures regarding the Court's entry of the proposed Final Judgment. This Judgment would settle this case pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. §§ 16(b)-(h) (the "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 very shortly will file a Competitive Impact Statement relating to the proposed 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 <u>Federal Register</u> and in certain newspapers at least 60

days prior to entry of the proposed Final Judgment. The notice 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 the

United States's responses in the <u>Federal Register</u>.

5. After the expiration of the sixty-day period, the United States will file with the

Court the comments and the United States's responses, and it may ask the Court to enter the

proposed Final Judgment (unless the United States has decided to withdraw its consent to entry of

the Judgment, as permitted by Paragraph 2 of the Stipulation and Order) [see 15 U.S.C.

§ 16(d)].

6. If the United States requests that the Court enter the proposed Final Judgment after

compliance with the APPA, 15 U.S.C. §§ 16(e)-(f), the Court may enter the Judgment without a

hearing, if it finds that the Final Judgment is in the public interest.

Dated: July 20, 1999.

Respectfully submitted,

\_\_\_\_/s/\_\_\_

Anthony E. Harris

Illinois Bar No. 1133712

Antitrust Division

U.S. Department of Justice

1401 H Street, NW, Suite 3000

Washington, D.C. 20530

(202) 307-6583

2