UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

UNITED STATES OF AMERICA, *Plaintiff,* v. CHARLESTON AREA MEDICAL CENTER, INC., *Defendant.*	Civil Action No. 2:06-0091 Judge Joseph R. Goodwin

CERTIFICATE OF COMPLIANCE WITH PROVISIONS
OF THE ANTITRUST PROCEDURES AND PENALTIES ACT

Plaintiff United States of America, by the undersigned attorneys, hereby certifies that, in compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), the following procedures have been followed in preparation for the entry of a final judgment herein:

1. Plaintiff and defendant stipulated to the entry of the proposed Final Judgment, which was filed with the Court on February 6, 2006;

2. The Competitive Impact Statement was filed with the Court on February 6, 2006;

3. The Complaint, proposed Final Judgment, and Competitive Impact Statement were published in the *Federal Register* on February 24, 2006, *see* 71 Fed. Reg. 9598-606 (2006);

4. A summary of the terms of the proposed Final Judgment was published in

   a. the *Washington Post*, a newspaper of general circulation in the District of Columbia, beginning on February 20, 2006 and continuing on consecutive days through February 26, 2006 (see attachment), and

b. the Charleston Gazette, a newspaper of general circulation in the Southern District of West Virginia, beginning on February 20, 2006 and continuing on consecutive days through February 25, 2006, and on February 27, 2006 (see attachment);

5. Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement were furnished to all persons requesting them and made available on the Antitrust Division's Internet site;

6. On February 16, 2006, defendant Charleston Area Medical Center, Inc. filed with the Court its disclosure statement concerning written or oral communications by or on behalf of the defendant, or any other person, with any officer or employee of the United States concerning the proposed Final Judgment, as required by 15 U.S.C. § 16(g);

7. The sixty-day comment period prescribed by 15 U.S.C. §16(b) and (d) for the receipt and consideration of written comments, during which the proposed Final Judgment could not be entered, commenced on February 24, 2006 and ended on April 25, 2006;

8. The United States received no public comments on the proposed Final Judgment; and

9. The parties have now satisfied all the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), as a condition for entering the proposed Final Judgment, and it is now appropriate for the Court to make the public-interest determination required by 15 U.S.C. § 16(e) and to enter the Final Judgment.

Dated: April 27, 2006

Respectfully submitted,

Charles T. Miller
Acting United States Attorney

By: Kelly R. Curry
Kelly R. Curry
Assistant United States Attorney

Peter J. Mucchetti

Peter J. Mucchetti
Mitchell H. Glende
Attorneys for the United States
United States Department of Justice
1401 H Street, N.W., Suite 4000
Washington, D.C. 20530
Telephone: (202) 353-4211
Facsimile: (202) 307-5802

Ad # 148619 Name US DEPT OF JUSTICE/ANTI TRUS Size 76 lines M0085
Class 815' PO # PO 5125 Authorized by MAURA LEE Account 632270

PROOF OF PUBLICATION

District of Columbia, ss., Personally appeared before me, a Notary Public in and for the said District, Kate M. Davey well known to me to be Billing Manager of The Washington Post, a daily newspaper published in the City of Washington, District of Columbia, and making oath in due form of law that an advertisement containing the language annexed hereto was published in said newspaper on the dates mentioned in the certificate herein.

I Hereby Certify that the attached advertisement was published in The Washington Post, a daily newspaper, upon the following dates at a cost of $4,784.96, and was circulated in the Washington metropolitan area.

Published 7 times. Dates: Feb 20, 21, 22, 23, 24, 25 and 26, 2006
Account 632270

Kate M Davey

Witness my hand and official seal this 3rd day of March 2006

Jennifer A. Johnson
Notary Public, District of Columbia
My Commission Expires 09-30-2008

My commission expires

U.S. DEPARTMENT OF JUSTICE
ANTITRUST DIVISION
Take notice that a proposed Final Judgment has been filed in a civil antitrust case, United States v. Charleston Area Medical Center, Inc., Civil Case No. 2:06-0091. On February 6, 2006, the United States filed a Complaint alleging that, on April 17, 2002, Charleston Area Medical Center, Inc. (CAMC) entered into an agreement with HCA Inc. (HCA) that prevented HCA from developing a cardiac-surgery program in Raleigh County, West Virginia, in violation of Section One of the Sherman Act, 15 U.S.C. § 1. The Complaint alleges that the agreement unreasonably restrained competition by effectively ensuring that no hospital in Raleigh County, West Virginia would compete with CAMC to provide cardiac-surgery services. The proposed Final Judgment, filed at the same time as the Complaint, annuls the anticompetitive portion of the CAMC-HCA agreement and prohibits CAMC from entering into other agreements that allocate any cardiac-surgery service, market, territory, or customer. In addition, the proposed consent decree prevents CAMC from entering into any agreement that prohibits or restricts a healthcare facility from developing cardiac-surgery services unless CAMC receives the prior approval of the United States.
A Competitive Impact Statement filed by the United States describes the Complaint, the proposed Final Judgment, and the remedies available to private litigants who may have been injured by the alleged violation. Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection at the Department of Justice, Antitrust Division, 325 7th Street, N.W., Room 215, Washington, DC 20530 (telephone: 202/514-2481), on the Department of Justice's Web site at http://www.usdoj.gov/atr, and at the Office of the Clerk of the United States District Court for the Southern District of West Virginia, 300 Virginia Street E., Charleston, WV 25301.
Interested persons may address comments to Mark J. Botti, Chief, Litigation I Section, Antitrust Division, U.S. Department of Justice, 1401 H Street, N.W., Suite 4000, Washington, DC 20530 (telephone: 202/307-0001) within 60 days of the date of this notice.

COMMERCIAL INVOICE and STATEMENT

The Washington Post
washingtonpost.com
express

1 Billing Period	2 Advertiser/Client Name
02/01/06-02/28/06	US DEPT OF JUSTICE/ANTI TRUS

23 Total Amount Due	Amount Paid	3 Terms of Payment
9,120.19		Payable On Or Before 15th Day After Billing. No Cash Discount

4 Page	5 Billing Date	6 Agency Acct No.	7 Advertiser/Client No.	21 Current Net Amount	22 30 Days	60 Days	90 Days	120 D
1	02/28/06		632270	8,667.40	0.00	0.00	0.00	452.

8 Billed Account and Address	9 Remittance Address
US DEPT OF JUSTICE/ANTI TRUS ATTN: MAURA LEE 950 PENNSYLVANIA AVE NW # 3335 WASHINGTON, DC 20530	THE WASHINGTON POST P.O. BOX 79101 BALTIMORE, MD 21279-0101

0006322703200602000091201910 11

(Detach here and return with remittance)

10 Date	11 Newspaper Reference	12 13 14 Description - Other Comments/Changes	15 16 SAU Size Billed Units	17 18 Times Run Rate	19 Gross Amt	20 Net Amt
			BALANCE FORWARD			8,72
02/09/2006		PAYMENT- WIRE TRANSFER COMM -THANK YOU				(8,267
			TOTAL PAYMENTS AND OTHER			(8,267
			NET BALANCE FORWARD			45
		CLASSIFIED LIGHTFACE ADVERTISING				
02/20/2006	S148619/A4530995 INV# 13765659	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 5125	DLY 2 @ 38 LI	8.48	644.48	64
02/21/2006	S148619/A4530995 INV# 13767638	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 5125	DLY 2 @ 38 LI	8.48	644.48	64
02/22/2006	S148619/A4530995 INV# 13768858	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 5125	DLY 2 @ 38 LI	8.48	644.48	64

Statement of Account Aging of Past Due Amounts

21 Current Net Amount	22 30 Days	60 Days	90 Days	120 Days	23 Total Amount Due
8,667.40	0.00	0.00	0.00	452.79	9,120.19

The Washington Post
washingtonpost.com
express

1150 15th Street, NW Washington, DC 20071
Invoice Questions
Tel: (202) 334-4875 Fax: (202) 334-4706 e-mail: CUSTACCT@WASHPOST.COM
Tearsheet request: TEARSHTS@WASHPOST.COM
Not subject to back-up Tax Withholding Duns #: 3245768 Fed ID #: 53-0182885

Advertiser Information

1 Billing Period	6 Agency Account Number	7 Advertiser/Client Number	2 Advertiser/Client Name
02/01/06-02/28/06		632270	US DEPT OF JUSTICE/ANTI TRUS

The Washington Post
washingtonpost.com
express

4 Page	1 Billing Period	2 Advertiser/Client Name
2	02/01/06-02/28/06	US DEPT OF JUSTICE/ANTI TRUS

6 Agency Account Number	7 Advertiser/Client Number	5 Billing Date	23 Total Amount Due
	632270	02/28/06	9,120.19

Address Change Request

Comments/Questions

10 Date	11 Newspaper Reference	12 13 14 Description Other Comments/Changes	15 16 SAU Size Billed Units	17 18 Times Run Rate	19 Gross Amt	20 Net Amt
02/23/2006	S148619/A4530995 INV# 13770466	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 5125	DLY 2 @ 38 LI	8.48	644.48	64
02/24/2006	S148619/A4530995 INV# 13772882	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 5125	DLY 2 @ 38 LI	8.48	644.48	64
02/25/2006	S148619/A4530995 INV# 13775902	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 5125	DLY 2 @ 38 LI	8.48	644.48	64
02/26/2006	S148619/A4530995 INV# 13782162	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 5125	SUN 2 @ 38 LI	12.08	918.08	91
01/30/2006	S178197/A4499757 INV# 13706156	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 6025099	DLY 2 @ 31 LI	8.31	515.22	51
01/31/2006	S178197/A4499757 INV# 13708207	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 6025099	DLY 2 @ 31 LI	8.31	515.22	51
02/01/2006	S178197/A4499757 INV# 13709777	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 6025099	DLY 2 @ 31 LI	8.48	525.76	52
02/02/2006	S178197/A4499757 INV# 13711178	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 6025099	DLY 2 @ 31 LI	8.48	525.76	52
02/03/2006	S178197/A4499757 INV# 13712850	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 6025099	DLY 2 @ 31 LI	8.48	525.76	52
02/04/2006	S178197/A4499757 INV# 13715637	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 6025099	DLY 2 @ 31 LI	8.48	525.76	52
02/05/2006	S178197/A4499757 INV# 13719075	U.S. DEPARTMENT OF JUSTICE ANTITRUS/0815 AUTH: MAURA LEE P.O. PO 6025099	SUN 2 @ 31 LI	12.08	748.96	74
			TOTAL CURRENT AD ACTIVITY			8,66
			TOTAL AMOUNT DUE			9,12

The Washington Post
washingtonpost.com
express

1 Billing Period	2 Advertiser/Client Name
02/01/06-02/28/06	US DEPT OF JUSTICE/ANTI TRUS

4 Page	6 Agency Account Number	7 Advertiser/Client Number	5 Billing Date	23 Total Amount Due
3		632270	02/28/06	9,120.19

10 Date	11 Newspaper Reference	12	13	14 Description - Other Comments/Changes	15 16 SAU Size Billed Units	17 18 Times Run Rate	19 Gross Amt	20 Net Amt
CURRENT PERIOD ACTIVITY SUMMARY								
CLASSIFIED			14.00	INSERTS	966.00	LINES		

CHARLESTON NEWSPAPERS
P.O. Box 2993
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS

LEGAL ADVERTISING INVOICE

INVOICE DATE	03/01/06
ACCOUNT NBR	089104105
SALES REP ID	0022
INVOICE NBR	295589001

BILLED TO

US DEPT. OF JUSTICE, ANTITR
950 PENNSYLVANIA AVE., RM. 3335
WASHINGTON DC 20530 USA

Please return this portion with your payment. AMOUNT PAID: _____

Make checks payable to: Charleston Newspapers

CHARLESTON NEWSPAPERS
P.O. Box 2993
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS
FEIN 55-0676079

INVOICE DATE	03/01/06
ACCOUNT NBR	089104105
SALES REP ID	0022
INVOICE NBR	295589001

Legal pricing is based upon 63 words per column inch.
Each successive insertion is discounted by 25% of the first insertion rate.
The Daily Mail is at a rate of $.14 per word, and the Charleston Gazette is at a rate of $.14 per word.

ISSUE DATE	AD TYPE	PUB	DESCRIPTION REFERENCE NBR PURCHASE ORDER #	AD NUMBER	AD SIZE TOTAL RUN	RATE	GROSS AMOUNT	NET AMOUNT
			LEGAL DISCOUNT 25%				36.38-	109.15
02/27	LEGR	GZ	Final Judgment - US		1X0825			
			295589007 5129		8.25	8.82	72.77	
			LEGAL DISCOUNT 25%				18.19-	54.58
			TOTAL INVOICE AMOUNT					454.82

State of West Virginia, **AFFIDAVIT OF PUBLICATION**

I, Sandra Biggs of

THE SATURDAY GAZETTE MAIL,
published in the city of Charleston, Kanawha County, West Virginia, do solemnly swear that the annexed notice of:
Final Judgment - US vs.
was duly published in said paper(s) during the dates listed below, and was posted at the front door of the court house of said Kanawha County, West Virginia, on the 21ST day of FEBRUARY 2006. Published during the following dates: 02/20/06-02/27/06
Subscribed and sworn to before me this 2 day of March
Printers fee $ 454.82

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
LYNN R. FIELDER
[illegible] FRAZIER WAY
SCOTT DEPOT, WV 25560
My Commission Expires December 11, 2006

Notary Public of Kanawha County, West Virginia

CHARLESTON NEWSPAPERS
P.O. Box 2993
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS

LEGAL ADVERTISING INVOICE

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US DEPT. OF JUSTICE, ANTITR
950 PENNSYLVANIA AVE., RM. 3335
WASHINGTON DC 20530 USA

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INVOICE NBR	295589001

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ISSUE DATE	AD TYPE	PUB	DESCRIPTION REFERENCE NBR PURCHASE ORDER #	AD NUMBER	AD SIZE TOTAL RUN	RATE	GROSS AMOUNT	NET AMOUNT
02/20	LEGF	GZ	Final Judgment - US 295589001 5129	0213115	1X0825 8.25	8.82	72.77	72.77
02/21	LEGR	GZ	Final Judgment - US 295589002 5129		1X0825 8.25	8.82	72.77	
			LEGAL DISCOUNT 25%				18.19-	54.58
02/22	LEGR	GZ	Final Judgment - US 295589003 5129		1X0825 8.25	8.82	72.77	
			LEGAL DISCOUNT 25%				18.19-	54.58

State of West Virginia, **AFFIDAVIT OF PUBLICATION**

I, _____ of

published in the city of Charleston, Kanawha County, West Virginia, do solemnly swear that the annexed notice of:

was duly published in said paper(s) during the dates listed below, and was posted at the front door of the court house of said Kanawha County, West Virginia, on the day of . Published during the following dates:
Subscribed and sworn to before me this_____day of_____.
Printers fee $

_____
Notary Public of Kanawha County, West Virginia

CHARLESTON NEWSPAPERS
P.O. Box 2993
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS

LEGAL ADVERTISING INVOICE

INVOICE DATE	03/01/06
ACCOUNT NBR	089104105
SALES REP ID	0022
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BILLED TO

US DEPT. OF JUSTICE, ANTITR
950 PENNSYLVANIA AVE., RM. 3335
WASHINGTON DC 20530 USA

Please return this portion with your payment. AMOUNT PAID: _____

Make checks payable to: Charleston Newspapers

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P.O. Box 2993
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS
FEIN 55-0676079

INVOICE DATE	03/01/06
ACCOUNT NBR	089104105
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INVOICE NBR	295589001

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Each successive insertion is discounted by 25% of the first insertion rate.
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ISSUE DATE	AD TYPE	PUB	DESCRIPTION REFERENCE NBR PURCHASE ORDER #	AD NUMBER	AD SIZE TOTAL RUN	RATE	GROSS AMOUNT	NET AMOUNT
02/23	LEGR	GZ	Final Judgment - US		1X0825			
			295589004 5129		8.25	8.82	72.77	
			LEGAL DISCOUNT 25%				18.19-	54.58
02/24	LEGR	GZ	Final Judgment - US		1X0825			
			295589005 5129		8.25	8.82	72.77	
			LEGAL DISCOUNT 25%				18.19-	54.58
02/25	LEGR	SA	Final Judgment - US		1X0825			
			295589006 5129		8.25	17.64	145.53	

State of West Virginia, **AFFIDAVIT OF PUBLICATION**

I, _____ of

published in the city of Charleston, Kanawha County, West Virginia, do solemnly swear that the annexed notice of:

was duly published in said paper(s) during the dates listed below, and was posted at the front door of the court house of said Kanawha County, West Virginia, on the day of . Published during the following dates:
Subscribed and sworn to before me this_____day of_____.
Printers fee $

_____
Notary Public of Kanawha County, West Virginia

PUBLIC VOUCHER FOR ADVERTISING

		For Agency Use Only
DEPARTMENT OR ESTABLISHMENT, BUREAU OR OFFICE		VOUCHER NUMBER
PLACE VOUCHER PREPARED	DATE PREPARED	SCHEDULE NUMBER
NAME OF PUBLICATION		PAID BY
NAME OF PUBLISHER OR REPRESENTATIVE		
ADDRESS (*Street, room number, city, State, and ZIP code*)		

CHARGES

TYPEFACE (*size of type*) POINT PER (*inch, square, word, or folio*)

		NUMBER OR LINES (*Indicate counted or space*)	COST PER LINE	TOTAL COST
Line Rates	FIRST INSERTION		$	$
	ADDITIONAL INSERTIONS GIVE NUMBER ▶			
	TOTAL			$
		NUMBER OF UNITS (*Indicate inch, square, word, folio*)	COST PER UNIT	TOTAL COST
Other Rates	FIRST INSERTION G2	520 Words	$ .14	$ 72.77
	ADDITIONAL INSERTIONS GIVE NUMBER ▶ G2	3120 "	.14	382.05
	TOTAL			$ 454.82

Attach one copy of advertisement (*including upper and lower rules*) to each copy of voucher here. If copy is not available sign the following affidavit.

TOTAL LINE RATES AND OTHER RATES	
LESS DISCOUNT AT %	
BALANCE DUE	$ 454.82
VERIFIED (*Initials*)	LF

AFFIDAVIT

This represents a true billing for the attached advertising order, with specifications and copy, which has been completed.

SIGNATURE OF PUBLISHER OR REPRESENTATIVE: Sandra Diggs

TITLE: Head Billing Clerk

DATE: 3-2-06

FOR AGENCY USE ONLY

ADVERTISEMENT PUBLISHED IN	DATE PUBLISHED
I certify that the advertisement described above appeared in the named publication and that this account is correct and eligible for payment.	
SIGNATURE AND TITLE OF CERTIFYING OFFICER	DATE
SIGNATURE AND TITLE OF AUTHORIZING OFFICER	DATE
ACCOUNTING CLASSIFICATION Estimated Cost: $454.82 P.O. Number: 5129 Accounting Classification Code: 0C4190 DOJ File Number: 60-622110-0011	PAID BY CHECK NUMBER

[1] If the ability to certify and authority to approve are combined in one person enter "N/A" (*not applicable*) here.

★U.S. GPO: 1974--555-598