

## **ATTACHMENT 1**

### **LIST OF SIX CATEGORIES OF CONFIDENTIAL INFORMATION IN AMNESTY AGREEMENTS AND EXAMPLES OF TYPES OF INFORMATION REDACTED UNDER EACH CATEGORY:**

**(1) Names, Titles, and Other Personal & Corporate Identifiers**

- names and titles of individual applicants, current and former officers, directors, board members, employees, ATR DAAGs, attorneys, and staff
- names of co-conspirators, client(s), outside and in-house counsel, law firms, all signatories to the agreement and position titles, parties not obligated to cooperate in an investigation, grand jury witnesses and forepersons, counsel for amnesty applicants and witnesses in grand jury investigations
- words, nouns, and personal pronouns, indicating a person's gender, nationality, citizenship, country of origin, and familial relationships
- names of corporate applicants, parent corporations, predecessor corporations, subsidiaries, majority owned subsidiaries, corporate and agency affiliates, joint ventures, partners, a/k/a, f/k/a, d/b/a, third parties, court case names, companies with which an amnesty applicant has business relations, third parties with licensing agreements, and foreign entities
- personal and corporate names of subjects and targets of grand jury investigations and grand jury subpoena recipients

**(2) Dates and Temporal Information**

- all dates, except for August 10, 1993 and August 10, 1994, Antitrust Division's policies on corporate and individual leniency letters
- dates of agreements
- dates the agreements were signed by all parties (signatures may be on different dates)
- date received stamps
- dates that meetings took place
- dates in fax transmission lines
- dates that violations occurred
- dates specific to the investigation
- the timeframe of the investigation
- specific dates that restitution for damages is to be paid

- dates as of which named employees no longer work at corporation
- dates specific to the offense, including examples such as:
  - offense was committed prior to a certain date
  - the date range of the violation
  - the dates the cartel conduct is covered by the amnesty agreement
  - applicant had knowledge of the cartel activity prior to a certain date
- names of ATR personnel are temporal indicators
- former DAAG reveals that the agreement was signed during the period that DAAG held the position at the Department
- portion of the letterhead that indicates the amnesty agreement was signed by staff at particular ATR section or field office or by the DAAG on the DAAG's letterhead (DAAG started signing the letters in 1998)

**(3) Industries**

- names and descriptions of industries
- the role of the applicant in the industry
- contractors, sub-contractors, sellers, manufacturers, producers, importers, and exporters
- specific contracts and contract numbers
- specific markets and specific products
- licencing information

**(4) Miscellaneous Identifiers and/or Confidential Source Provided Information Not Specified Elsewhere**

- miscellaneous administrative markings, numbers, codes, handwritten notes, and file stamps placed on documents after execution with distinctive identifiers (e.g., names, dates, location of offices)
- grand jury exhibit stickers
- file drive paths
- ATR internal routing slips with initials and names of ATR staff
- DOJ file numbers assigned to specific investigations
- discussions and descriptions of applicants' cooperation in specific investigations
- names of other agencies involved in the investigation

**(5) Geographic Location Identifiers**

- portions of the letterhead that indicate which ATR office signed the agreement
- name of ATR's offices in Atlanta, Chicago, Cleveland, Dallas, New York, Philadelphia, San Francisco, and Washington, DC
- DAAG started signing the letters in 1998
- prior to 1998 the field office attorneys signed the letters on field office letterhead

This is a geographic clue as to which office handled the investigation and in which region of the United States

- all addresses, cities, states, and zip codes revealing locations of ATR offices and applicants' counsels
- all area codes, telephone and fax numbers, and fax tracking information
- references to judicial districts, court names, and docket numbers
- references to regions of United States
- references to regions within a state
- named metropolitan areas
- foreign countries
- places of business
- places where offenses occurred or were under investigation
- international markets
- worldwide foreign cartels
- domestic cartels
- branch offices
- country of residence
- specific types of foreign assistance requests
- in the United States (other than boilerplate language in agreement)

**(6) Specific Cartel Conduct/Type of Offense Descriptions**

- bid-rigging, bid rigging
- price fixing
- market allocation, market-share allocation
- territorial allocation
- volume allocation
- customer allocation, allocate customers
- collusion, collusive activity
- output restriction, restrict output
- capacity restriction
- descriptions of specific investigations
- references to plea agreements in other investigations
- amounts of restitution
- references to documents submitted in accordance with grand jury subpoenas
- information that would indicate relevant conduct or agreements (*e.g.*, bids, contracts) among co-conspirators, relating to the type of offense