

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Civil Action No.: 1:07-cv-00992
	)	Hon. Ricardo M. Urbina
v.	)	
	)	
MONSANTO COMPANY and	)	
DELTA AND PINE LAND COMPANY,	)	
	)	
Defendants.	)	
	)	

**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 the Final Judgment in the above-captioned matter:

1. Plaintiff and defendants have stipulated to the entry of the proposed Final Judgment in a stipulation filed with the Court on May 31, 2007 (the “Hold Separate and Preservation of Assets Stipulation and Order” or “HSSO”).
2. The Complaint, Competitive Impact Statement (“CIS”), proposed Final Judgment and HSSO were filed with the Court on May 31, 2007.
3. The proposed Final Judgment and CIS were published in the *Federal Register* on June 15, 2007. See *United States v. Monsanto Co. and Delta and Pine Land Co.*, 72 Fed. Reg.

33336-01, 2007 WL 1708314.

4. A summary of the terms of the proposed Final Judgment was published in the *Washington Post*, a newspaper of general circulation in the District of Columbia, for seven days beginning on June 28, 2007 and ending on July 4, 2007. (See Attachment.)

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

6. The defendants have filed with the Court a description of written or oral communications by or on behalf of the defendants, 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). Defendants filed their descriptions on June 11, 2007.


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, ended on August 27, 2007.

8. The United States received eleven comments on the proposed Final Judgment. The United States filed those comments and its Response to Public Comments with the Court on March 4, 2008, and published the Response and the comments in the Federal Register on April 4, 2007. *United States v. Monsanto Co. and Delta and Pine Land Co.*, 73 Fed. Reg. 18612-01, 2008 WL 892671.

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 necessary public interest determination required by 15 U.S.C. § 16(e) and to enter the proposed Final Judgment.

Dated: April 15, 2008

Respectfully submitted,

  
\_\_\_\_\_  
Jill A. Ptacek (WA Bar #18756)  
Trial Attorney  
U.S. Department of Justice  
Antitrust Division  
Transportation, Energy &  
Agriculture Section  
325 7th Street, NW, Suite 500  
Washington, DC 20004  
Telephone: (202) 307-6607  
Facsimile: (202) 307-2784

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 \$5,298.64, and was circulated in the Washington metropolitan area.

Published 7 times. Dates: June 28, 29 and 30, July 1, 2, 3 and 4, 2007  
Account 632270

Witness my hand and official seal this

2nd day of

August 2007

My commission expires

Nicole Morton-McFadden  
Notary Public District of Columbia  
My Commission Expires 05-31-2011

U.S. DEPARTMENT OF JUSTICE  
ANTITRUST DIVISION

UNITED STATES v. MONSANTO CO.

TAKE NOTICE that a proposed Final Judgment has been filed with the United States District Court for the District of Columbia in a civil antitrust case, United States v. Monsanto Co., Civ. Action No. 1:07CV00992. On May 31, 2007, the United States filed a Complaint alleging that the proposed acquisition by Monsanto Company (Monsanto) of Delta and Pine Land Company (DPL) would violate Section 7 of the Clayton Act, 15 U.S.C. § 18. The Complaint alleges that the acquisition would substantially reduce competition for the development, breeding, and sale of traited cottonseed in the MidSouth (Mississippi, Arkansas, Louisiana, Missouri, and Tennessee) and Southeast (Alabama, Georgia, Florida, South Carolina, North Carolina, and Virginia) United States. Specifically, the Complaint alleges that Monsanto's acquisition of Delta and Pine Land would enhance Monsanto's ability and incentive to raise traited cottonseed prices and eliminate Delta and Pine Land as a partner independent of Monsanto for competing trait developers. The proposed Final Judgment, also filed on May 31, 2007, requires the parties to divest (1) Monsanto's Stoneville Pedigreed Seed Company; (2) other Monsanto cotton breeding assets; (3) specified lines of Delta and Pine Land cottonseed to the acquirer of the Stoneville assets; and (4) specified lines of Delta and Pine Land cottonseed containing the VipCot transgenic trait to Syngenta AG. It also requires Monsanto to modify certain licenses. A Competitive Impact Statement filed by the United States describes the Complaint, the proposed Final Judgment, the industry, and the remedies available to private litigants who may have been injured by the alleged violation. Copies of the Complaint, proposed Final Judgment, Hold Separate and Preservation of Assets Stipulation and Order, and Competitive Impact Statement are available for inspection at the Department of Justice, Antitrust Division, 325 7th Street, N.W., Suite 215, Washington, D.C. 20530 (202-514-2481), on the Internet at <http://www.usdoj.gov/atr>, and at the Office of the Clerk of the United States District Court for the District of Columbia.

Interested parties may address comments to Donna N. Kooperstein, Chief,

2 Ad # 137930 Name US DEPT OF JUSTICE/ANTI TRUS Size 84 lines  
Class 815' PO # DJJ07PHATR03 Authorized by MAURA LEE Account 632270

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M0054

Transportation, Energy & Agriculture Section, Antitrust Division, Department  
of Justice, 325 7th Street, N.W., Suite 500, Washington, D.C. 20530  
(202-307-6349), within sixty (60) days of the date of issuance.



COMMERCIAL INVOICE and STATEMENT

1	Billing Period	2	Advertiser/Client Name
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23	Total Amount Due	Amount Paid	3 Terms of Payment
18,424.32			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 Days
1	07/31/07		632270	9,589.92	8,834.40	0.00	0.00	0.00

8	Billed Account and Address	9	Remittance Address
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(Detach here and return with remittance)

10	Date	11	Newspaper Reference	12	13	14	Description - Other Comments/Changes	15	16	17	18	19	20
								SAU-Size Billed Units		Times Run Rate		Gross Amt	Net Amt
							CLASSIFIED LIGHTFACE ADVERTISING						8,834.40
	07/18/2007		S086451/A5382120 INV# 15138353				U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: S. BROWN P.O. C4170207213 LEGAL NOTICES ONLINE	DLY 2 @ 34 LI		8.48		576.64	586.64
												10.00	
	07/19/2007		S086451/A5382120 INV# 15140271				U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: S. BROWN P.O. C4170207213	DLY 2 @ 34 LI		8.48		576.64	576.64
	07/20/2007		S086451/A5382120 INV# 15141835				U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: S. BROWN P.O. C4170207213	DLY 2 @ 34 LI		8.48		576.64	576.64
	07/21/2007		S086451/A5382120 INV# 15144718				U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: S. BROWN P.O. C4170207213	DLY 2 @ 34 LI		8.48		576.64	576.64
	07/22/2007		S086451/A5382120 INV# 15147807				U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: S. BROWN P.O. C4170207213	SUN 2 @ 34 LI		12.08		821.44	821.44

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
9,589.92		8,834.40		0.00	0.00	0.00	18,424.32	



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4. Page	1. Billing Period	2. Advertiser/Client Name	
2	07/01/07-07/31/07	US DEPT OF JUSTICE/ANTI TRUS	
6. Agency Account Number	7. Advertiser/Client Number	5. Billing Date	23. Total Amount Due
	632270	07/31/07	18,424.32

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
07/23/2007	S086451/A5382120 INV# 15152840	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: S. BROWN P.O. C4170207213	DLY 2 @ 34 LI	8.48	576.64	576.64
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06/28/2007	S137930/A5355339 INV# 15091388	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: MAURA LEE P.O. DJJ07PHATR03 LEGAL NOTICES ONLINE	DLY 2 @ 42 LI	8.48	712.32	722.32
06/29/2007	S137930/A5355339 INV# 15093698	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: MAURA LEE P.O. DJJ07PHATR03	DLY 2 @ 42 LI	8.48	712.32	712.32
06/30/2007	S137930/A5355339 INV# 15096129	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: MAURA LEE P.O. DJJ07PHATR03	DLY 2 @ 42 LI	8.48	712.32	712.32
07/01/2007	S137930/A5355339 INV# 15103558	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: MAURA LEE P.O. DJJ07PHATR03	SUN 2 @ 42 LI	12.08	1,014.72	1,014.72
07/02/2007	S137930/A5355339 INV# 15105538	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: MAURA LEE P.O. DJJ07PHATR03	DLY 2 @ 42 LI	8.48	712.32	712.32
07/03/2007	S137930/A5355339 INV# 15106672	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: MAURA LEE P.O. DJJ07PHATR03	DLY 2 @ 42 LI	8.48	712.32	712.32
07/04/2007	S137930/A5355339 INV# 15107557	U.S. DEPARTMENT OF JUSTICE ANTIT/0815 AUTH: MAURA LEE P.O. DJJ07PHATR03	DLY 2 @ 42 LI	8.48	712.32	712.32
TOTAL CURRENT AD ACTIVITY						9,589.92
TOTAL AMOUNT DUE						18,424.32

1	Billing Period	2	Advertiser/Client Name
	07/01/07-07/31/07		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		07/31/07		18,424.32

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		1,064.00			
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