ANTITRUST DIVISION
WORKLOAD STATISTICS
FY 2005 – 2014

INVESTIGATIONS

Total Investigations Initiated, by Primary Type of Conduct[1]	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Sherman §1 - Restraint of Trade[2]	100	87	69	66	70	46	47	31	25	31
Sherman §2 - Monopoly	3	3	1	0	4	2	2	2	2	0
Clayton §7 - Mergers	108	96	101	84	68	64	90	74	65	80
Others[3]	5*	14*	15	21*	21*	3*	3	0*	0	2

Business Reviews	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Requested	6	6	9	8	3	9	1	3	3	3
Closed	1	10	6	6	9	7	3	7	5	0
• Granted	0	4	5	2	5	5	1	1	3	0

[1] Statistics reflect only the primary type of conduct under investigation at the outset of the investigation; this report does not reflect whether a matter investigated a potential violation of an additional statute(s), or whether the primary violation changed during the pendency of the investigation. See "District Court Antitrust Cases" for numbers of cases by offense. Does not include business reviews, judgment modification or termination investigations, or premerger notifications, but includes investigations initiated as a result of premerger notifications.

[2] This category reflects both civil and criminal investigations.

[3] This category includes investigations of potential violations of Clayton §§ 3, 7A, and 8, the Robinson-Patman Act, and Title 18, among other statutes.

* Value has been restated from its previously reported value to be consistent with the definitions outlined in the footnotes to this report.

• Denied	0	0	0	0	0	0	0	0	0	0
• Declined	0	0	0	0	1	1	1	0	2	0
• Withdrawn	1	6	1	4	3	1	1	6	0	0
Pending	11	7	10	12	6	8	6	2	0	3

Hart-Scott-Rodino (HSR) Premerger Notifications	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Received	1,675	1,768	2,201	1,726	716	1,166	1,450	1,429	1,326	1,663
HSR Investigations Initiated	90	77	82	70	49	55	72	61	50	67
Number of Cases Filed	2	10	2	14	6	8	11	7	5	5

Total Preliminary Inquiries: Criminal, Civil Non-Merger, and Merger	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Initiated[4]	184	172	157	147	138	109	128	96*	81	100
Matters that exited the Preliminary Inquiry Phase	185	189	146	146	150	133	152	101	100	94
Pending	125	108	119	120	108	84	60	55*	36*	42*

CIDs Issued	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Total number	727	376	527	355	510	480	476	474	338	331

[4] Every investigation, with the exception of certain criminal matters that open as grand jury investigations, opens as a preliminary inquiry. Matters exit the preliminary inquiry phase by closing; in the case of criminal preliminary inquiries, becoming grand jury investigations; or in the case of civil preliminary inquiries, through the issuance of Civil Investigative Demands. This category only addresses investigations in the civil or criminal preliminary inquiry stage. Investigations opened with the purpose of exploring judgment modification or termination are not included here in the total number of preliminary inquiries initiated. Such judgment modification/termination investigations are addressed separately under the Judgment Enforcement sections.

Documentary	104	11	55	65	59	58	98	47	28	19
Interrogatory[5]	6	1	0	1	7	2	3	16	18	10
Oral	161	131	150	125	132	89	99	130	98	80
Documentary/Interrogatory[6]	446	231	318	157	302	326	275	279	176	221
Oral/Documentary[7]	10	2	4	7	10	5	1	2	18	1

CIVIL INVESTIGATIONS

Merger Investigations	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Total Number (HSR and Non-HSR Investigations)	108	96	101	84	68	64	90	74	65	80
HSR Investigations	90	77	82	70	49	55	72	61	50	67
• HSR Investigations: Second Requests	25	17	32	20	16	22	31	29	22	21
Non-HSR Investigations	18	19	19	14	19	9	18	13	15	13
• Non-HSR Investigations: CIDs Issued	7	5	1	2	9	6	6	8	4	5
Merger CIDs Issued	510	276	395	205	263	344	328	350	270	299

Non-Merger Investigations	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Total Number	29	35	14	24	33	26	17	8*	10	8
• Non-Merger Investigations: CIDs Issued	19	16	12	11	20	12	9	7	5	6

[5] Prior to FY 2014, Civil Investigative Demands for interrogatory responses were labeled "written."

[6] Combined documentary and written CIDs served to one person, corporation, partnership or legal entity.

[7] Combined oral and documentary CIDs served to one person, corporation, partnership or legal entity. Statistic is only available from FY 2005.

Non-Merger CIDs Issued	217	100	132	150	247	136	148	124	68	32

Civil Investigation Results	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Merger Investigations: Total Number of Public Challenges	4	16	12	16	12	19[8]	20	19	15	16
• Actions Filed in District Court[9]	3	10	4	15	7	10	13	8	7	7
• Transactions Restructured or Abandoned Prior to Filing a Complaint as Result of an Announced Challenge	1	6	8	1	5	8	7	11	8	9
Non-Merger Investigations: Actions Filed in District Court	8	2	2	4	2	4	5	5	5	1

CRIMINAL INVESTIGATIONS AND CASES

Grand Jury Investigations	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Initiated	38	38	34	32	38	12	17	12	13	16
Terminated	27	42	22	30	31	32	66	24	14	11
Pending	128	123	135	137	144	124	75	63	62	67

Criminal Cases Filed	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Total Cases Filed	32	34	40	54	72	60	90	67	50	45
Individuals Charged	47	37	47	59	65	63	82	63	34	44
Corporations Charged	27	24	10	25	22	21	27	16	21	18

[8] One action filed in District Court challenged two separate mergers, resulting in 19 merger challenges.

[9] These statistics are the same as those reported under "District Court Antitrust Cases - Merger Cases Filed" on page 6.

DISTRICT COURT ANTITRUST CASES[10]

TOTAL CIVIL CASES	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	11	12	6	19	9	14	18	13	12	8
Terminated[11]	6	20	9	11	16	11	11	20	10	12
• Won	6	17	9	11	16	11	11	20	10	12
• Lost	0	2	0	0	0	0	0	0	0	0
• Dismissed	0	1	0	0	0	0	0	0	0	0
Pending	24	16	13	21	14	17	24	17	19	15

RESTRAINT OF TRADE - CIVIL (SHERMAN §1)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	7	1	1	2	0	3	4	3	3	0
Terminated	1	9	1	2	1	1	1	2	3	5
• Won	1	8	1	2	1	1	1	2	3	5
• Lost	0	1	0	0	0	0	0	0	0	0
• Dismissed	0	0	0	0	0	0	0	0	0	0

MONOPOLY - CIVIL (SHERMAN §2)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	0	0	0	0	0	0	1	0	0	0

[10] The category of Damage Actions – Civil was removed from the FY 2014 Workload Statistics Report.

[11] Figures are computed using the closing date of the case.

Terminated	0	0	1	0	0	0	0	2	0	0
• Won	0	0	1	0	0	0	0	2	0	0
• Lost	0	0	0	0	0	0	0	0	0	0
• Dismissed	0	0	0	0	0	0	0	0	0	0

MERGER CASES (CLAYTON §7)	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Filed	3	10	4	15	7	10	13	8	7	7
Terminated	4	6	6	8	15	9	10	12	7	5
• Won	4	5	6	8	15	9	10	12	7	5
• Lost	0	1	0	0	0	0	0	0	0	0
• Dismissed	0	0	0	0	0	0	0	0	0	0

OTHER CIVIL	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Filed	1	1	1	2	2	1	0	2	2	1
Terminated	1	5	1	1	0	1	0	4	0	2
• Won	1	4	1	1	0	1	0	4	0	2
• Lost	0	0	0	0	0	0	0	0	0	0
• Dismissed	0	1	0	0	0	0	0	0	0	0

TOTAL CRIMINAL CASES	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Filed	32	34	40	54	72	60	90	67	50	45
Won	36	31	31	47	67	41	62	95	40	54
Lost	1	0	1	4	2	1	2	3	0	1
Pending	43	44	54	57	60	55	77	45	54	45
Appeal Decisions	4	5	1	4	2	7	6	5	1	4

RESTRAINT OF TRADE - CRIMINAL (SHERMAN §1)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	23	21	25	26	37	41	63	58	45	37
Won	31	20	19	25	29	28	37	82	37	45
Lost	1	0	1	3	2	0	0	0	0	0
Pending[12]	35	36	41	39	45	42	69	43	50	42

OTHER CRIMINAL CASES Charging Primarily Other Federal Crimes such as Perjury, Mail Fraud, Contempt, Obstruction of Justice, or False Statements	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	9	13	15	28	35	19	27	9	5	8
Won	5	11	12	22	38	13	25	13	3	9
Lost	0	0	0	1	0	1	2	3	0	1
Pending[13]	8	10	13	18	15	13	8	2	4	3

[12] This represents the number of Cases pending identifiable as a case with a Sherman Act – Restraint of Trade violation. This updated information is as of FY 2010, and replaces the method previously used. A pending case is defined as a case whereby no defendant in a case has entered a plea of guilty or has been found guilty at trial.

[13] This represents the number of Cases pending identifiable as charging primarily other federal crimes such as perjury, mail fraud, contempt, obstruction of justice, false statements or other charges that are not Sherman Act – Restraint of Trade violations. This updated information is as of FY 2010, and replaces the method previously used. A pending case is defined as a case whereby no defendant in a case has entered a plea of guilty or has been found guilty at trial.

APPELLATE CASES

ANTITRUST DIVISION CASES COURT OF APPEALS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	3	0	2	6	1	4	9	5	5	10
Terminated	5	7	1	6	3	8	3	6	0	6
• Won	4	7	1	6	3	8	3	5	0	5
• Lost	0	0	0	0	0	0	0	1	0	1
• Dismissed	1	0	0	0	0	0	0	0	0	0

ANTITRUST DIVISION CASES SUPREME COURT	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	1	2	0	0	0	2	3	1	0	0
Terminated	0	0	2	0	3	2	3	0	1	0
• Won	0	0	1	0	3	2	3	0	1	0
• Lost	0	0	0	0	0	0	0	0	0	0
• Dismissed	0	0	1	0	0	0	0	0	0	0

AMICUS CASES COURT OF APPEALS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	2	1	1	0	2	2	4	0	5	0
Terminated	4	1	0	0	2	2	1	0	0	3
• Primary DOJ Position Accepted	3	1	0	0	2	1	0	0	0	3
• Primary DOJ Position Not Accepted	1	0	0	0	0	1	1	0	0	0

AMICUS CASES SUPREME COURT	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	4	4	4	2	2	0	0	0	1	0
Terminated	1	5	5	0	1	1	0	0	1	0
• Primary DOJ Position Accepted	1	5	4	0	1	1	0	0	0	0
• Primary DOJ Position Not Accepted	0	0	1	0	0	0	0	0	1	0

OTHER AGENCIES' CASES (ADMINISTRATIVE LAW CASES) COURT OF APPEALS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	101	59	65	128	58	29	21	28	15	19
Terminated	79	34	27	59	44	19	16	7	14	6
• Won	10	17	14	16	24	8	11	5	9	6
• Lost	9	3	3	2	8	4	1	0	2	0
• Dismissed	60	14	10	11	12	7	4	2	3	6

OTHER AGENCIES' CASES SUPREME COURT	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Filed	6	0	0	1	0	0	0	0	0	1
Terminated	2	1	0	0	0	0	0	0	0	0
• Won	2	1	0	0	0	0	0	0	0	0
• Lost	0	0	0	0	0	0	0	0	0	0
• Dismissed	0	0	0	0	0	0	0	0	0	0

JUDGMENT ENFORCEMENT

JUDGMENT ENFORCEMENT	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Divestitures	3	8	3	15	6	9	8	7	4	9
Decrees Modified/Terminated	1	1	2	4	3	2	1	0	3	1
Contempt Cases	1	2	1	2	1	0	0	0	1	0

JUDGMENT ENFORCEMENT: Modification/Termination Investigations[14]	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Initiated	1	4	0	3	1*	4	0	0	0	1
Terminated	2	15*	1	5	2*	2	0	1	0	0
Pending	16*	5	4	2	1	3	3	2	2	3

CASE RESULTS[15]

FINES IMPOSED[16]	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Individual: Total Individual Fines ($000)	4,483	3,650	15,109	1,485	605	4,373	1,522	2,141	3,069	2,016

[14] These are investigations to determine whether a judgment should be modified or terminated.

[15] Dollar figures are amounts imposed during the fiscal year.

[16] "Fines imposed" are the total of criminal fines imposed by courts in judgments against defendants in Antitrust Division prosecutions. These totals do not include fines "agreed to" by defendants in plea agreements during the fiscal year but not yet imposed by the court. The Department tracks separately fine collection totals, see http://www.justice.gov/atr/public/press_releases/2015/311240.htm, which include all fines, court costs, and other fees that have been paid in satisfaction of judgments in Antitrust Division prosecutions, and which may differ from fines imposed or agreed to due to the use of payment plans.

Number of Individuals Fined	22	17	25	23	27	19	25	31	29	24
Corporate: Total Corporate Fines ($000)	595,966	469,805	615,671	695,042	973,740	338,645	380,032	1,472,968	272,214	1,904,714
Number of Corporations Fined	18	18	12	12	16	11	11	33	24	25
Total Fines Imposed ($000)	600,449	473,455	630,780	696,527	974,345	343,017	381,554	1,475,109	275,283	1,906,730

OTHER CASE RESULTS	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Restitution Imposed in Connection with Criminal Cases[17] ($000)	10,371	2,165	4,790	5,226	17,060	24,271	6,377	3,297	6,883	1,650
Number of Defendants	15	7	23	8	22	18	25	28	17	10
HSR Penalties ($000)	2,000	2,150	250	1,650	2,200	900	0	500	2,050	896
Number of Corporations	1	1	0	2	2	1	0	0	2	1
Number of Individuals	0	1	1	0	1	0	0	1	1	0
Disgorgements ($000)[18]	0	0	0	0	0	0	12,000	4,800	0	0
Civil Contempt Settlements ($000)[19]	4,500	935	125	2,580^	2,050	0	0	0	400^	0

[17] Frequently restitution is not sought in criminal antitrust cases, as damages are obtained through treble damage actions filed by the victims.

[18] This is a new statistic as of the FY 2014 Workload Statistics Report. Disgorgements represent the total dollar amount paid by defendants to the government as equitable relief to prevent unjust enrichment from violating the antitrust laws.

[19] This is a new statistic as of the FY 2014 Workload Statistics Report. Civil Contempt Settlements represent the total dollar amount paid by defendants to the government to settle consent decree violations and may include the full costs of investigation related to consent decree violations. The settlement, in some cases, may also include disgorgement payments.

^ Value includes civil contempt cases where the payment included disgorgement of profits from the alleged violations.

CONFINEMENT

INCARCERATION	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Number of Individuals Sentenced	27	28	39	31	44	37	39	55	39	35
Number of Individuals Sentenced to Incarceration Time	18	19	34	19	35	29	21	45	28	21
Average Number of Days of Incarceration[20]	731	283	923	754	726	898	502	747	750	787

OTHER CONFINEMENT[21]	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Individuals Sentenced to Other Confinement	6	13	5	11	9	6	12	4	5	7
Average Number of Days of Other Confinement[22]	212	212	217	186	244	216	173	135	162	181

GENERAL ANTITRUST ACTIVITIES

PARTICIPATION IN BANK MERGER PROCEEDINGS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Total Screenings	943	1,048	1,030	656	463	379	428	519	511	544
Screenings Requiring Competitive	532	592	737	511	342	294	341	519	511	544

[20] This is a new statistic as of the FY 2014 Workload Statistics Report.

[21] Includes house arrest or confinement to a halfway house or community treatment center.

[22] This is a new statistic as of the FY 2014 Workload Statistics Report.

Analysis[23]										

INTERNATIONAL ANTITRUST ACTIVITY	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Notifications to Foreign Governments and International Organizations	115	108	126	118	77	35	38	41	25	65
Representation at and Negotiations with Foreign Governments and International Organizations	31	70	44	41	50	30	41	37	35	36
Applications for Export Trade Certificates	11	6	10	14	6	11	6	7	10	6
Certificates Issued	8	6	8	15	5	10	5	7	8	7

FILINGS IN REGULATORY AGENCY PROCEEDINGS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Department of Transportation	1	1	0	0	1	1	0	0	1	0
Federal Energy Regulatory Commission	1	0	1	0	0	0	0	0	0	0
Securities and Exchange Commission	0	0	0	0	0	1	1	0	0	0
Federal Communications Commission	0	3	1	0	0	1	1	0	1	2
Federal Maritime Commission	3	1	0	0	0	2	0	1	0	0
Interstate Commerce Commission	0	0	0	0	0	0	0	0	0	0
Other	1	1	1	1	4	3	1	0	0	0

[23] As of FY 2012, the Division's practice is to conduct a competitive analysis of all bank merger applications forwarded to the Division for review, and not to draw a distinction between transactions that require competitive screening and transactions that may be competitively neutral. Previously, applications involving formations of bank holding companies did not receive the same competitive analysis and were treated separately in the workload statistics.

Total	6	6	3	1	5	8	3	1	2	2

OTHER DIVISION ACTIVITIES[24]	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
4F Requests[25]	0	0	2	1	0	1	0	0	1	1
Advice on Surplus Property	7	3	5	4	0	4	0	3	2	5
Congressional Appearances	0	2	3	2	5	5	1	2	2	3
Congressional/OMB Requests for Comments	338	512	395	571	311	332	59	232	328	265
White House Referrals	1	3	0	1	0	2	2	1	1	1
Congressional Correspondence	85	92	82	90	117	71	78	130	81	69
Statutory Reports	39	56	77	63	40	74	95	73	84	83
Joint Research & Development Filings	45	19	19	28	22	20	12	21	11	16
FOIA Requests	136	103	85	101	98	86	80	137	117	102
Privacy Act Requests	15	9	10	8	11	12	11	9	9	6

[24] The category of Meetings of Interagency Task Forces/Committees was removed from the FY 2014 Workload Statistics Report.

[25] The number of requests to the Chief of the FOIA/Privacy Act Unit from state attorneys general for access to investigative files or other Division material pursuant to Section 4F(b) of the Clayton Act, 15 U.S.C. § 15f(b).