



# Department of Justice

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AT  
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The Department of Justice today announced that it has filed, at the request of the Federal Trade Commission, a civil suit charging First City Financial Corporation Ltd. and Roxboro Investments (1976) Ltd., both of Vancouver, British Columbia, Canada, with violating the pre-merger notification requirements of the Hart-Scott-Rodino Act.

The Department also filed a proposed consent decree that, if approved by the court, would terminate the suit.

The complaint and proposed consent decree were filed Friday in U.S. District Court in the District of Columbia.

The Act imposes notification and waiting period requirements on individuals and companies over a certain size that contemplate mergers or acquisitions of stock or assets. The Act is intended to improve antitrust enforcement by ensuring that the government receives advance notice of significant mergers and similar transactions.

The one-count complaint charged First City and Roxboro with violating the Act in connection with their acquisition in early 1986 of stock of Ashland Oil, Inc., of Russell, Kentucky. First City provides diversified financial services, as well as general leasing services. Roxboro is a holding company that is affiliated with First City.

(MORE)

The complaint alleged that First City and Roxboro violated the Act from February 19 through April 2, 1986, when they acquired Ashland stock without complying with the Act's requirements. Under the terms of the proposed consent decree, First City and Roxboro will agree to pay a civil penalty of \$400,000 to settle the case.

The Department announced on March 22, 1988, that it intended to file the complaint against First City and Roxboro, as well as two other cases charging violations of the Act.

In announcing the Department's intention to file the cases, Charles F. Rule, Assistant Attorney General in charge of the Antitrust Division, said, "The Antitrust Division and the Federal Trade Commission share a strong commitment to ensure that merging companies comply with the Hart-Scott-Rodino notification requirements, and we will continue to bring civil penalty actions against those who fail to comply with the Act."

Under Section (g)(1) of the Act, any person or company that fails to comply with the Act's requirements is liable for a civil penalty of up to \$10,000 for each day the violation continues.

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