



# Department of Justice

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## JUSTICE DEPARTMENT FILES SUIT CHARGING COMPANY WITH VIOLATING PREMERGER NOTIFICATION REQUIREMENTS

WASHINGTON, D.C. -- The Department of Justice today filed a civil antitrust suit seeking a penalty of \$500,000 from Service Corporation International (SCI) of Houston, Texas, for violating the premerger notification requirements of the Hart-Scott-Rodino Act. The complaint was filed at the request of the Federal Trade Commission in U.S. District Court in Washington, D.C. At the same time, the Department filed a proposed consent decree that, upon entry by the court, would settle the suit.

"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," said James F. Rill, Assistant Attorney General of the Antitrust Division. "We will continue to bring civil penalty actions for violations of the act."

The complaint alleges that SCI did not comply with notification and waiting period requirements under the Hart-Scott-Rodino Act.

The Hart-Scott-Rodino Act of 1976, a statute that amends the Clayton Act, imposes notification and waiting period requirements on individuals and companies over a certain size that contemplate

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mergers or acquisitions of stock or assets over a certain value or percentage ownership. The act is intended to improve antitrust enforcement by ensuring that the government receives advance notice of significant mergers and similar transactions.

The complaint alleges that SCI violated the act in connection with its acquisition on December 30, 1986, of Centurion National Group Inc. of Houston, Texas. SCI provides funeral and cemetery services, and Centurion, at the time of the acquisition, was a competitor of SCI in the funeral and cemetery services industry.

The complaint alleges that SCI violated the act by acquiring through an agent of SCI more than 15 percent of the stock of Centurion for an amount in excess of \$15 million without complying with the act's requirements. The complaint alleges that the defendant continued to violate the act until February 26, 1987.

Under 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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