

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

UNITED TECHNOLOGIES
CORPORATION

and

RAYTHEON COMPANY,

Defendants.

Case No. 1:20-cv-00824 (DLF)

**CERTIFICATE OF COMPLIANCE WITH PROVISIONS
OF THE ANTITRUST PROCEDURES AND PENALTIES ACT**

The United States of America hereby certifies that it has complied with the Antitrust Procedures and Penalties Act (“APPA”), 15 U.S.C. § 16 and states:

1. The United States filed the Complaint, Asset Preservation and Hold Separate Stipulation and Order (“Stipulation and Order”), and proposed Final Judgment on March 26, 2020. The United States filed the Competitive Impact Statement on April 14, 2020.

2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and the Competitive Impact Statement were published in the *Federal Register* on April 24, 2020 (*see* 85 Fed. Reg. 23144), and copies of the proposed Final Judgment and Competitive Impact Statement were furnished to all persons requesting them and made available on the Department of Justice Antitrust Division’s website.

3. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the Proposed Final Judgment and Competitive Impact Statement were published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, for seven days, beginning on April 16 and ending on April 22, 2020.

4. No determinative materials or documents within the meaning of 15 U.S.C. § 16(b) were considered by the United States in formulating the proposed Final Judgment, so none were furnished to any person pursuant to 15 U.S.C. § 16(b) or listed pursuant to 15 U.S.C. § 16(c).

5. As required by 15 U.S.C. § 16(g), on March 27 and March 30, 2020, the Defendants filed with the Court descriptions of any written or oral communications made by or on behalf of Defendants with any officer or employee of the United States concerning the proposed Final Judgment.

6. The 60-day comment period specified in 15 U.S.C. § 16(b) commenced on April 24 and ended on June 23, 2020.

7. The United States received no comments from members of the public concerning the proposed Final Judgment.

8. The parties have, therefore, satisfied all of the requirements of the APPA that were conditions for entering the proposed Final Judgment. Pursuant to the Stipulation and Order filed on March 26, 2020 and 15 U.S.C. § 16(e), the Court may enter the Final Judgment after it determines that the proposed Final Judgment serves the public interest.

9. The United States' Competitive Impact Statement demonstrates that the proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e).

10. The United States requests that this Court enter the Final Judgment without further proceedings or hearings and is authorized by counsel for Defendants to state that Defendants join in this request.

Dated: July 14, 2020

Respectfully submitted,



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