

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLIED WASTE INDUSTRIES, INC., and
BROWNING-FERRIS INDUSTRIES, INC.,

Defendants.

Case No. 1: 99 CV 01962

JUDGE: Ricardo M. Urbina

DECK TYPE: Antitrust

Entered: May 19, 2000

FILED

MAY 19 2000

Clerk, U.S. District Court
District of Columbia

ORDER

The United States, Allied Waste Industries, Inc. and Browning-Ferris Industries, Inc. have jointly filed a motion for entry of a proposed Modified Final Judgment in the above-entitled action. The Modified Final Judgment proposed by the parties would replace the proposed Final Judgment which was filed by the parties on July 20, 1999 but has not yet been entered;

This joint motion is made pursuant to Section XIII of the proposed Final Judgment which provides in part that "any of the parties to this Final Judgment [can] apply to this Court at any time . . . for the modification of any of the provisions hereof . . .";

The proposed Final Judgment, as originally filed, provided that the defendants will divest all of BFI's former commercial waste collection routes serving the City of Chicago and Cook, DuPage, Will, Kane, McHenry, and Lake counties in Illinois;

Because of comments received on the proposed Final Judgment, the parties have

1 M)
8/19

9

moved for the entry of a Modified Final Judgment which permits Allied to substitute certain residential and rolloff waste collection routes for municipal franchise commercial hauling contracts. The Modified Final Judgment at page 9 adds the following language to Section II.D.(4) (Chicago, IL) of the originally proposed Final Judgment: "provided, however, defendants may substitute, for franchised commercial routes, BFI's residential routes that serve the cities of Northbrook, Wilmette and Winnetka, IL; Allied's residential routes that serve the cities of Deerfield and Golf, IL; and BFI's rolloff routes that serve Cook and DuPage counties, IL."; and

The United States has certified its compliance with the provisions of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h).

IT IS HEREBY ORDERED that the proposed Final Judgment originally filed on July 20, 1999, is hereby modified as set forth in the proposed Modified Final Judgment filed by the parties to permit the defendants to retain the municipal franchise contracts initially required to be divested and permit Allied Waste Industries to divest instead specified residential and rolloff waste hauling business in the greater Chicago metropolitan market; and it is

FURTHER ORDERED that entry of the Modified Final Judgment is in the public interest and the Modified Final Judgment is hereby entered.


United States District Judge

Dated:

**Pursuant to LCvR 7.1(k), the following are the attorneys entitled
to be notified of the entry of the proposed Order in the above-entitled matter:**

**Arthur A. Feiveson, Esq.
United States Department of Justice
Antitrust Division, Litigation II
1401 H Street, NW, Suite 3000
Washington, DC 20530**

**Tom D. Smith, Esq.
Jones, Day, Reavis & Pogue
51 Louisiana Avenue, NW
Washington, DC 20001-2113**