

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, :
 :
 Plaintiff, :
 :
 v. : Case No. 9801497 (PLF)
 :
 ALUMINUM COMPANY OF :
 AMERICA and ALUMAX INC., :
 :
 Defendants. :

UNITED STATES' CERTIFICATE OF
COMPLIANCE WITH THE PROVISIONS OF THE
ANTITRUST PROCEDURES AND PENALTIES ACT

Plaintiff, United States of America, hereby certifies that it has complied with the provisions of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), and states:

1. The proposed Final Judgment and Competitive Impact Statement were filed with the Court on June 15, 1998, and June 18, 1998, respectively.
2. Pursuant to 15 U.S.C. § 16(b), the Proposed Final Judgment and Competitive Impact Statement were published in the Federal Register on July 1, 1998 (63 Fed. Reg. 126).
3. Pursuant to 15 U.S.C. § 16(b), the United States furnished to requesting parties copies of the Competitive Impact Statement, as well as copies of the Complaint and the proposed Final Judgment.
4. 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, during the period June 25, 1998 through July 1, 1998.

5. Pursuant to 15 U.S.C. § 16(g), on September 8, 1998, the defendants filed with the Court a Statement of Communications describing communications by or on behalf of the defendants relating to the proposed Final Judgment with officers or employees of the United States.

6. The 60-day period provided by 15 U.S.C. § 16(d) for the submission of public comments expired on August 30, 1998.

7. The United States received and responded to one public comment on the proposed Final Judgment. The comment and response were filed with the Court on September 22, 1998, and published in the Federal Register on October 8, 1998, Volume No. 63 beginning on page 54158.

8. Pursuant to the Stipulation and Order filed on June 15, 1998, and 15 U.S.C. § 16(e), the Court may enter the Final Judgment after it determines that the Judgment serves the public interest.

9. Plaintiff's Competitive Impact Statement and Response to Public Comment demonstrate that the proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e).

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

Dated this 19th day of October, 1998.

Respectfully submitted,

/s/
Nina B. Hale
Andrew K. Rosa
Attorneys
U.S. Department of Justice
Antitrust Division
Suite 500
325 Seventh Street, N.W.
Washington, D.C. 20530
(202) 307-6351