

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD DIVISION

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JUL 13 2005
TERESA L. DEPPNER, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia

UNITED STATES OF AMERICA,

Plaintiff,

v.

BLUEFIELD REGIONAL MEDICAL
CENTER, INC. and
PRINCETON COMMUNITY HOSPITAL
ASSOCIATION, INC.,

Defendants.

Civil Action No. 1:05-0234
Chief Judge David A. Faber

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

Plaintiff United States of America, by the undersigned attorneys, hereby certifies that, in compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), the following procedures have been followed in preparation for the entry of a final judgment herein:

1. Plaintiffs and defendants stipulated to the entry of the proposed Final Judgment, which was filed with the Court on March 21, 2005;
2. The Competitive Impact Statement was filed with the Court on March 21, 2005;
3. The Stipulation, proposed Final Judgment, and Competitive Impact Statement were published in the *Federal Register* on April 4, 2005, see 70 Fed. Reg. 17117 (2005);
4. A summary of the terms of the proposed Final Judgment was published in

- a. the *Washington Post*, a newspaper of general circulation in the District of Columbia, beginning on April 1, 2005 and continuing on consecutive days through April 7, 2005 (see attachment), and
- b. the *Charleston Gazette*, a newspaper of general circulation in the Southern District of West Virginia, beginning on April 4, 2005 and continuing on consecutive days through April 9, 2005, and on April 11, 2005 (see attachment);

5. Copies of the Stipulation, proposed Final Judgment, and Competitive Impact Statement were furnished to all persons requesting them and made available on the Antitrust Division's Internet site;

6. On April 13, 2005 and April 27, 2005, defendants Princeton Community Hospital Association, Inc. and Bluefield Regional Medical Center, Inc. respectively filed with the Court disclosure statements concerning written or oral communications by or on behalf of the defendants, or any other person, with any officer or employee of the United States concerning the proposed Final Judgment, as required by 15 U.S.C. § 16(g);

7. The sixty-day comment period prescribed by 15 U.S.C. §16(b) and (d) for the receipt and consideration of written comments, during which the proposed Final Judgment could not be entered, commenced on April 4, 2005 and ended on June 3, 2005;

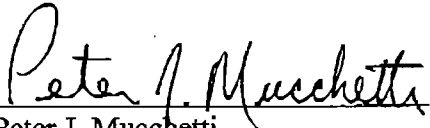
8. The United States received one comment on the proposed Final Judgment. The United States filed its Response to Public Comment and the comment itself with this Court on June 30, 2005, and published the Response and the public comment in the Federal Register on July 12, 2005, see 70 Fed. Reg. 40058 (2005); and

9. The parties have now satisfied all the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), as a condition for entering the proposed Final Judgment, and it is now appropriate for the Court to make the public-interest determination required by 15 U.S.C. § 16(e) and to enter the Final Judgment.


Dated: July 13, 2005

Respectfully submitted,

FOR PLAINTIFF UNITED STATES:


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