

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

UNITED STATES OF AMERICA,  
Department of Justice  
Antitrust Division  
1401 H Street, N.W.  
Suite 3000  
Washington, D.C. 20530,

Plaintiff,

v.

CEMEX, S.A.B. de C.V.,  
Av. Ricardo Margàin Zozaya #325,  
Colonia del Valle Campestre,  
Garza García, Nuevo León, Mexico 66265

and

RINKER GROUP LIMITED  
Level 8, Tower B, 799 Pacific Highway  
Chatsworth, NSW 2067, Australia,

Defendants.

CASE NO.: 1:07-cv-00640

JUDGE: Hon. Royce C. Lamberth

DECK TYPE: Antitrust

DATE STAMP:

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

Plaintiff, United States of America, by the undersigned attorney, 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 final judgment in the above-captioned matter herein:

1. Plaintiff and defendants have stipulated to the entry of the proposed Final Judgment in an Amended Hold Separate Stipulation and Order ("AHSSO") filed with the Court on May 2, 2007.

2. The proposed Final Judgment was filed with the Court on May 2, 2007.
3. The Competitive Impact Statement was filed with the Court on May 23, 2007.
4. The proposed Final Judgment and Competitive Impact Statement were published in the *Federal Register* on June 12, 2007. *United States v. Cemex, S.A.B. de C.V.*, 72 Fed. Reg. 32314-31, 2007 WL 1668708.
5. A summary of the terms of the proposed Final Judgment was published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, for seven days beginning on June 16, 2007 and ending on June 22, 2007.
6. Copies of the AHSSO, proposed Final Judgment, and Competitive Impact Statement were furnished to all persons requesting them and made available on the Antitrust Division's Internet site.
7. Defendant Rinker Group Limited, on June 18, 2007, and defendant Cemex, S.A.B. de C.V., on June 19, 2007, filed with the Court a description of written or oral communications by or on behalf of the defendant, 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).
8. 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, ended on August 21, 2007.
9. The United States did not receive any comments on the proposed Final Judgment.
10. The parties have 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 necessary public interest determination required by 15 U.S.C. § 16(e) and to enter the proposed Final Judgment.

Dated: August 30, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "F. Parmenter", written over a horizontal line.

Frederick H. Parmenter

VA Bar No. 18184

Attorney

United States Department of Justice

Antitrust Division

Litigation II Section

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