

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHIROPRACTIC ASSOCIATES, LTD.
OF SOUTH DAKOTA,

Defendant.

CASE NO. CV 13-04030 - LLP

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

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

1. The proposed Final Judgment and Competitive Impact Statement were filed on April 8, 2013;
2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and Competitive Impact Statement were published in the *Federal Register* on April 17, 2013, see 78 Fed. Reg. 22901 (2013);
3. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the proposed Final Judgment and Competitive Impact Statement was published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, for seven consecutive days beginning on April 15, 2013, and ending

on April 21, 2013, and published in the *The Argus Leader* a newspaper of general circulation in South Dakota, for seven days beginning on April 15, 2013, and ending on April 21, 2013.

4. Pursuant to 15 U.S.C. § 16(g), Defendant filed with the Court on April 18, 2013, a description of communications by or on behalf of Defendant with any officer or employee of the United States concerning or relevant to the proposed Final Judgment.

5. The sixty-day comment period specified in 15 U.S.C. § 16(b) ended on June 20, 2013.

6. The United States received one public comment on the proposed Final Judgment.

7. On August 5, 2013, the United States filed with the Court its response to the public comment.

8. On August 12, 2013, the United States published its response and the public comment in the *Federal Register*, see 78 Fed. Reg. 48904 (2013).

9. Pursuant to the Stipulation filed on April 8, 2013, and 15 U.S.C. § 16(e), the Court may enter the proposed Final Judgment after it determines that the proposed Final Judgment serves the public interest;

10. The United States' 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); and

11. 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 necessary public interest determination required by 15 U.S.C. § 16(e) and to enter the proposed Final Judgment.

Dated: August 29, 2013.

Respectfully submitted,

UNITED STATES OF AMERICA
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