

Amy R. Fitzpatrick (D.C. Bar # 458680)
U.S. Department of Justice, Antitrust Division
450 Fifth Street, N.W., Suite 4100
Washington, D.C. 20530
Phone: (202) 532-4558
Facsimile: (202) 307-5802
E-mail: amy.fitzpatrick@usdoj.gov

Attorney for Plaintiff United States of America

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 3:14-cv-4949

FLAKEBOARD AMERICA LIMITED,

CELULOSA ARAUCO Y CONSTITUCIÓN,
S.A.,

INVERSIONES ANGELINI Y COMPAÑÍA
LIMITADA,

and

SIERRAPINE,

Defendants.

STIPULATION

The undersigned parties hereby stipulate and agree, subject to approval and entry by the
Court, that:

1 1. For the purposes of this action, the Court has jurisdiction over each of the parties and
2 venue of this action is proper in the United States District Court for the Northern District of
3 California. The Defendants also waive service of summons on the Complaint.

4 2. The parties stipulate that a proposed Final Judgment in the form attached as Exhibit A
5 may be filed with and entered by the Court, upon the motion of any party or upon the Court's
6 own motion, at any time after compliance with the requirements of the Antitrust Procedures and
7 Penalties Act ("APPA"), 15 U.S.C. § 16, and without further notice to any party or other
8 proceedings, provided that the United States has not withdrawn its consent, which it may do at
9 any time before the entry of the proposed Final Judgment by serving notice thereof on the
10 Defendant and by filing that notice with the Court.

11 3. The Defendants agree to arrange, at their expense, publication as quickly as possible of
12 the newspaper notices required by the APPA, which shall be drafted by the United States in its
13 sole discretion. The publication shall be arranged no later than three business days after the
14 Defendants' receipt from the United States of the text of the notice and the identity of the
15 newspapers within which the publication shall be made. The Defendants shall promptly send to
16 the United States (1) confirmation that publication of the newspaper notices has been arranged,
17 and (2) the certification of the publication prepared by the newspapers within which the notice
18 was published.

19 4. The Defendants shall abide by and comply with the provisions of the proposed Final
20 Judgment, pending the proposed Final Judgment's entry by the Court, or until expiration of time
21 for all appeals of any Court ruling declining entry of the proposed Final Judgment, and shall,
22 from the date of the signing of this Stipulation by the parties, comply with all the terms and
23 provisions of the proposed Final Judgment as though the same were in full force and effect as an
24 order of the Court.

25 5. This Stipulation will apply with equal force and effect to any amended proposed Final
26 Judgment agreed upon in writing by the parties and submitted to the Court.

1 6. In the event (1) the United States has withdrawn its consent, as provided in Paragraph 2
2 above, or (2) the proposed Final Judgment is not entered pursuant to this Stipulation, the time has
3 expired for all appeals of any court ruling declining entry of the proposed Final Judgment, and
4 the Court has not otherwise ordered continued compliance with the terms and provisions of the
5 proposed Final Judgment, then the parties are released from all further obligations under this
6 Stipulation, and the making of this Stipulation shall be without prejudice to any party in this or
7 any other proceeding.

8 7. The Defendants represent that the actions they are required to perform and the payments
9 they are required to make pursuant to the proposed Final Judgment can and will be
10 accomplished, and that the Defendants will later raise no claim of mistake, hardship or difficulty
11 of compliance as grounds for asking the Court to modify any of the provisions contained therein.

1 Dated: November 7, 2014

2
3 Respectfully submitted,

4 FOR PLAINTIFF
5 UNITED STATES OF AMERICA

6 /s/ Amy R. Fitzpatrick

7 Amy R. Fitzpatrick
8 Antitrust Division
9 U.S. Department of Justice
10 450 Fifth Street, N.W., Suite 4100
11 Washington, D.C. 20530
12 Phone: (202) 532-4558
13 Facsimile: (202) 307-5802
14 E-mail: amy.fitzpatrick@usdoj.gov

FOR DEFENDANTS FLAKEBOARD
AMERICA LIMITED, CELULOSA
ARAUCO Y CONSTITUCIÓN, S.A.,
AND INVERSIONES ANGELINI Y
COMPAÑÍA LIMITADA

15 /s/ Andrew M. Lacy

16 Andrew M. Lacy
17 Simpson, Thacher & Bartlett LLP
18 1155 F Street, N.W.
19 Washington, D.C. 20004
20 Phone: (202) 636-5505
21 Facsimile: (202) 636-5502
22 E-mail: alacy@stblaw.com

23
24 FOR DEFENDANT SIERRAPINE

25 /s/ Amanda P. Reeves

26 Amanda P. Reeves
27 Latham & Watkins LLP
28 555 Eleventh Street N.W., Suite 1000
Washington, D.C. 20004
Phone: (202) 637-2183
Facsimile: (202) 637-2201
E-mail: amanda.reeves@lw.com

ORDER

IT IS SO ORDERED by the Court, this ____ day of _____.

United States District Judge

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1 **ATTESTATION**

2 This Stipulation is being filed through the Electronic Case Filing (ECF) system by attorney
3 Amy R. Fitzpatrick of the U.S. Department of Justice, Antitrust Division. By her signature, she
4 attests that the United States has obtained concurrence in the filing of this document from
5 Andrew M. Lacy and Amanda P. Reeves, as required by Civil L.R. 5-1(i)(3).
6

7 Dated: November 7, 2014
8

9 By: /s/ Amy R. Fitzpatrick
10 AMY R. FITZPATRICK
11 Antitrust Division
12 U.S. Department of Justice
13 450 Fifth Street, N.W., Suite 4100
14 Washington, D.C. 20530
15 Phone: (202) 532-4558
16 Facsimile: (202) 307-5802
17 E-mail: amy.fitzpatrick@usdoj.gov
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CERTIFICATE OF SERVICE

I certify that on November 7, 2014, I electronically filed this Complaint with the Clerk of Court using the CM/ECF system. A copy has also been sent via e-mail to:

Counsel for Flakeboard America Limited,
Celulosa Arauco y Constitución, S.A., and
Inversiones Angelini y Compañía Limitada:

Andrew M. Lacy
Simpson, Thacher & Bartlett LLP
1155 F Street, N.W.
Washington, D.C. 20004
Phone: (202) 636-5505
E-mail: alacy@stblaw.com

Counsel for SierraPine:

Amanda P. Reeves
Latham & Watkins LLP
555 Eleventh Street N.W., Suite 1000
Washington, D.C. 20004
Phone: (202) 637-2183
E-mail: amanda.reeves@lw.com

/s/ Amy R. Fitzpatrick
AMY R. FITZPATRICK
Antitrust Division
U.S. Department of Justice
450 Fifth Street, N.W., Suite 4100
Washington, D.C. 20530
Phone: (202) 532-4558
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