

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	Civil Action No. 5:11-cv-00043
)	
v.)	
)	
GEORGE'S FOODS, LLC,)	
)	By: Glen E. Conrad
GEORGE'S FAMILY FARMS, LLC,)	Chief United States District Judge
)	
and)	
)	
GEORGE'S, INC.,)	
)	
<i>Defendants.</i>)	

**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:

2. The Complaint, Competitive Impact Statement ("CIS"), and proposed Final Judgment were filed with the Court on June 23, 2011.
3. The proposed Final Judgment and CIS were published in the Federal Register on June 30, 2011. *See* United States v. George's Foods, Inc., et. al., 76 Fed. Reg. 38419.
4. Summaries of the terms of the proposed Final Judgment and CIS, together with directions for the submission of written comments relating to the proposed Final

Judgment, were published in the Washington Post for seven days, beginning on June 29, 2011 and ending on July 7, 2011, and for seven days in the Harrisonburg Daily News-Record, beginning on June 29, 2011 and ending on July 8, 2011.

5. Copies of the proposed Final Judgment and CIS were furnished to all persons requesting them and made available on the Antitrust Division's Internet site.

6. The defendants have filed with the Court a description of 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). Defendants filed their descriptions on July 1, 2011.

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, ended on September 3, 2011.

8. The United States received one comment on the proposed Final Judgment. The United States filed that comment and its Response to Public Comment with the Court on October 25, 2011, and published the Response and the comment in the Federal Register on November 3, 2011. *See United States v. George's Foods, Inc., et. al.*, 76 Fed. Reg. 68210.

9. Plaintiff and Defendants have stipulated to the entry of the proposed Final Judgment in a stipulation filed with the Court on June 23, 2011.

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

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.

12. Plaintiff requests that this Court enter the Final Judgment without further hearings and is authorized by counsel for George's to state that the defendant joins in this request.

Dated: November 3, 2011

Respectfully submitted

FOR PLAINTIFF UNITED STATES:



JILL A. PTACEK

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Section

Antitrust Division

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Attorney for the United States

CERTIFICATE OF SERVICE

I certify that on November 3, 2011, I caused the United States' Certificate of Compliance with the Provisions of the Antitrust Procedures and Penalties Act and the United States' Motion and Supporting Memorandum to Enter Final Judgment to be electronically filed with the Clerk of the Court using the CM/ECF system, which will provide electronic notice to the following counsel.

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Respectfully Submitted,

/s/
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