

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JACOR COMMUNICATIONS, INC. and
CITICASTERS, INC.,

Defendants.

No. C-1-96-757
Judge Weber

**MOTION TO SUBSTITUTE
MODIFIED FINAL JUDGMENT
FOR ORIGINAL FINAL JUDGMENT**

The United States hereby moves the Court to substitute the proposed Modified Final Judgment, attached to the Stipulation filed today, for the original Final Judgment, filed with the Court on August 5, 1996. The parties have agreed that the proposed Modified Final Judgment filed with the Court shall supersede the original proposed Final Judgment. The Final Judgment was modified in order to clarify the obligation of Jacor Communications under Section IX of the Judgment to file notice with the Department of Justice for certain types of transactions.

Although not strictly required to do so under the Antitrust Procedures and Penalties Act (15 U.S.C. § 16)("APPA"), the United States will shortly publish notice of the proposed Modified Final Judgment. This will serve to restart the 60-day public comment period provided for by the APPA. After the expiration of the sixty-day period, the United States will file with the Court the comments, the Government's responses, and a Motion For Entry of the Final Judgment [15 U.S.C. § 16(d)]. At that time, pursuant to the APPA, 15 U.S.C. §§ 16(e)-(f), the Court may

enter the Modified Final Judgment without a hearing, if it finds that the Modified Final Judgment is in the public interest.

Attorneys for the defendants do not object to this Motion.

DATED: September 12, 1996

FOR THE PLAINTIFF:

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