LOWELL R. STERN
lowell.stern@usdoj.gov
United States Department of Justice
Antitrust Division
450 5th Street, N.W., Suite 8700
Washington, D.C. 20530
Telephone: (202) 307-0922
Facsimile: (202) 307-6283
Attorney for Plaintiff

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MICROSEMI CORPORATION, Defendant.	CASE NO.: 8:09-cv-00275-AG-AN **PLAINTIFF'S CERTIFICATE OF COMPLIANCE WITH THE ANTITRUST PROCEDURES AND PENALTIES ACT** Hon. Andrew J. Guilford

Plaintiff, the United States of America, by the undersigned attorney, hereby certifies that, in compliance with the provisions of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) ("APPA"), the following procedures have been followed in preparation for the entry of final judgment in the above-captioned matter:

1. The proposed Final Judgment, Competitive Impact Statement, and Stipulation Regarding Proposed Final Judgment ("Stipulation"), by which the parties agreed to the Court's

entry of the Final Judgment following compliance with the APPA, were filed on August 20, 2009.

2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and Competitive Impact Statement were published in the *Federal Register* on September 1, 2009. *See United States v. Microsemi Corp.*, 2009 WL 2730419 (Sept. 1, 2009), 74 Fed. Reg. 45242.

3. Pursuant to 15 U.S.C. §16(b), copies of the proposed Final Judgment and Competitive Impact Statement were furnished to anyone requesting them and were made available on the Antitrust Division's internet site, as were the Complaint and the Stipulation.

4. Pursuant to 15 U.S.C. § 16(c), summaries of the terms of the proposed Final Judgment and Competitive Impact Statement were published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, for seven days beginning on September 6, 2009 and ending on September 12, 2009, and in *The Los Angeles Times*, a newspaper of general circulation in the Central District of California, for seven days beginning on September 13, 2009 and ending on September 19, 2009.

5. As stated in the Competitive Impact Statement, there were no determinative materials or documents within the meaning of 15 U.S.C. § 16(b) that were considered by the United States in formulating the proposed Final Judgment, so none were furnished to any person pursuant to 15 U.S.C. § 16(b) or listed pursuant to 15 U.S.C. § 16(c).

6. On November 6, 2009, defendant filed with the Court descriptions of written or oral communications by or on its behalf with any officer or employee of the United States concerning or relevant to the proposed Final Judgment, as required by 15 U.S.C. § 16(g).

7. During the sixty-day comment period for the receipt and consideration of written comments specified in 15 U.S.C. §§ 16(b)-(d), the United States received no comments from members of the public concerning the proposed Final Judgment.

8. The United States having published its proposed settlement, and defendants having certified their pre-settlement contacts with government officials, the parties have fulfilled their obligations under the APPA. Pursuant to the Stipulation and 15 U.S.C. §16(e), the Court may now enter the Final Judgment, if it determines that the entry of the Final Judgment is in the public interest.

9. Plaintiff's Competitive Impact Statement demonstrates that the proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e). Plaintiff therefore requests that the Court enter the Final Judgment without further proceedings.

Dated: January 8, 2010

Respectfully submitted,

By: _____/s/_____
Lowell R. Stern
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of January, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Brett J. Williamson
Darin J. Glasser
O'Melveny & Myers LLP
610 Newport Center Drive
17th Floor
Newport Beach, CA 92660-6429

Michael E. Antalics
Benjamin G. Bradshaw
O'Melveny & Myers LLP
1625 Eye Street, N.W.
Washington, D.C. 20006

_____/s/_____
Lowell R. Stern
Attorney for Plaintiff