

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

PROFESSIONAL CONSULTANTS  
INSURANCE COMPANY, INC.,

*Defendant.*

CASE NUMBER: 1:05CV01272

JUDGE: Hon. Gladys Kessler

FILED: NOVEMBER 22, 2005

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**UNITED STATES' CERTIFICATE OF COMPLIANCE WITH  
TUNNEY ACT AND MOTION FOR ENTRY OF AMENDED FINAL JUDGMENT**

Plaintiff the United States hereby certifies that it has complied with the provisions of Section 5 of the Clayton Act, as amended by Section 2 of the Antitrust Procedures and Penalties Act (codified at 15 U.S.C. §§ 16(b)-(h) ("Tunney Act")), and states:

1. Pursuant to 15 U.S.C. § 16(b), a proposed Final Judgment against Professional Consultants Insurance Company, Inc., and a Stipulation consenting to the entry of the proposed Final Judgment after compliance with the requirements of the Tunney Act, were filed with the Court on June 24, 2005. (Dkt #1-2) An Amended Proposed Final Judgment was filed on September 12, 2005. (Dkt # 4) The Amended Proposed Final Judgment is also attached as a separate exhibit. *See* Exhibit 1.

2. On November 18, 2005, the defendant submitted a certificate of compliance with the requirements of 15 U.S.C. § 16(g). (Dkt #6)
3. Pursuant to 15 U.S.C. § 16(b), the Competitive Impact Statement was filed with the Court on September 12, 2005. (Dkt #5)
4. Pursuant to 15 U.S.C. § 16(b), the proposed Amended Final Judgment and the Competitive Impact Statement were published in the *Federal Register* on September 21, 2005, at 70 Fed. Reg. 55415-422 (2005). A copy of the *Federal Register* Notice is attached as Exhibit 2.
5. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the proposed Amended Final Judgment and the Competitive Impact Statement were published in *The Washington Post* for seven consecutive days, from September 16, 2005, through September 22, 2005. A copy of the Proof of Publication from *The Washington Post* is attached as Exhibit 3.
6. The 60-day period for public comments on the proposed Amended Final Judgment, specified in 15 U.S.C. § 16(d), commenced on September 22, 2005 and expired on November 21, 2005.
7. The United States received no comments on the proposed Amended Final Judgment.

Pursuant to the Stipulation filed on June 24, 2005, the Court may enter the proposed Amended Final Judgment after it determines that the proposed Amended Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e). Plaintiff's Competitive Impact Statement demonstrates that the proposed Amended Final Judgment is in the public interest. Accordingly,

Plaintiff requests that the Court enter the proposed Amended Final Judgment, in the form attached as Exhibit 1, without further hearings.

Dated: November 22, 2005

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Ryan J. Danks  
Litigation I Section  
Antitrust Division  
United States Department of Justice  
1401 H Street NW, Suite 4000  
Washington, D.C. 20530

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing Certificate of Compliance with Tunney Act and Motion for Entry of Amended Final Judgment was served on the following counsel, by electronic mail in PDF format, on November 22, 2005:

**Counsel for Defendant Professional  
Consultants Insurance Company, Inc.:**

Paul C. Cuomo  
Howrey LLP  
1299 Pennsylvania Ave. NW  
Washington, DC 20004  
CuomoP@Howrey.com

\_\_\_\_\_/s/\_\_\_\_\_  
Ryan J. Danks  
Litigation I Section  
Antitrust Division  
United States Department of Justice  
1401 H Street NW, Suite 4000  
Washington, D.C. 20530