

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

|                                      |                              |
|--------------------------------------|------------------------------|
| _____ )                              |                              |
| UNITED STATES OF AMERICA, )          |                              |
| )                                    |                              |
| <i>Plaintiff,</i> )                  | Civil Action No. 1:08CV00746 |
| )                                    |                              |
| v. )                                 | Judge: Richard J. Leon       |
| )                                    |                              |
| REGAL CINEMAS, INC., )               | Filed:                       |
| )                                    |                              |
| and )                                |                              |
| )                                    |                              |
| CONSOLIDATED THEATRES HOLDINGS, GP ) |                              |
| )                                    |                              |
| <i>Defendants.</i> )                 |                              |
| _____ )                              |                              |

**MOTION OF THE UNITED STATES**  
**FOR APPOINTMENT OF TRUSTEE**

Plaintiff United States hereby moves this Court for entry of an order appointing Mr. Holmes P. Harden as Trustee pursuant to Section V of the Final Judgment in the above-captioned matter. The United States has informed defendant Regal that it is filing this motion, which, pursuant to the terms of the Final Judgment, Regal may not oppose. In support of its motion, the United States files herewith a Memorandum In Support of Motion for Appointment of Trustee, and Affidavit of Gregg I. Malawer.

Dated: November 17, 2008

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Gregg I. Malawer (DC Bar #481685)  
U.S. Department of Justice, Antitrust Division  
450 5th Street N.W., Suite 4000  
Washington, D.C. 20004  
(202) 616-5943



**CERTIFICATE OF SERVICE**

I hereby certify that on November 17, 2008, I caused a copy of the foregoing Motion of the United States for Appointment of Trustee to be served by electronic mail to counsel for defendants listed below:

Counsel of Record for the Defendants  
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\_\_\_\_\_/s/\_\_\_\_\_  
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