U.S. DISTRICT COURT
FILED
MAR - 7 2006
S.D. OF N.Y.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, Plaintiff, v. ROLEX WATCH U.S.A., INC., Defendant.	Supplemental to Civil Action No. 96-1701 Date: February 28, 2006 Civil Part I Judge

SETTLEMENT AGREEMENT AND ORDER

WHEREAS Plaintiff United States of America having filed its Petition for an Order to Show Cause Why Defendant Rolex Watch U.S.A., Inc. Should Not Be Found in Civil Contempt ("Petition to Show Cause") on February 28, 2006, and Defendant Rolex Watch U.S.A., Inc. ("Rolex"), having consented to the entry of this Settlement Agreement and Order without trial or adjudication of any issue of fact or law herein, and without this Settlement Agreement and Order constituting any evidence against or an admission by Rolex with respect to any allegation contained in the Petition To Show Cause;

AND WHEREAS Rolex agrees to be bound by the provisions of this Settlement Agreement and Order pending its approval by the Court;

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NOW, THEREFORE, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein, and upon the consent of the parties hereto, it is hereby

ORDERED, ADJUDGED, and DECREED as follows:

I.
JURISDICTION

This Court has jurisdiction over the subject matter of this action and each of the parties consenting hereto under 18 U.S.C. § 401(3) and under Section XI of the Final Judgment entered by this Court on March 9, 1960 in United States v. The Watchmakers of Switzerland Information Center, Inc., Trade Reg. Rep. (CCH) ¶ 69,655 (S.D.N.Y. Mar. 9, 1960) ("Final Judgment").

II.
APPLICABILITY AND EFFECT

A. The provisions of this Settlement Agreement and Order shall be binding upon Rolex, its successors and assigns, and those persons in active concert or participation with Rolex who receive actual notice of this Settlement Agreement and Order.

B. This Settlement Agreement and Order constitutes a full and complete disposition of Rolex's alleged violations of Paragraphs VI.C and VI.H of the Final Judgment, as described in the Petition to Show Cause, from March 9, 1960 to the date of entry by the Court of this Settlement Agreement and Order.

C. Nothing in this Settlement Agreement and Order shall bar the United States from seeking, or the Court from imposing on Rolex, any other relief available under any applicable provision of law for any violation of the Final Judgment or this Settlement Agreement and Order, other than the violations of Paragraphs VI.C and VI.H of the Final Judgment,

as alleged in the Petition to Show Cause, from March 9, 1960 to the date of entry by the Court of this Settlement Agreement and Order.

III.
CIVIL PAYMENT

A. Within thirty (30) days of entry of this Settlement Agreement and Order, Rolex shall pay $750,000 to the United States, which includes reimbursement to the United States for its investigation of the violations alleged in the Petition to Show Cause.

B. The payment specified in Paragraph III.A shall be made by wire transfer or cashier's check. If the payment is to be made by wire transfer, Rolex first must contact the Antitrust Division's Antitrust Documents Group at (202) 514-2481 for instructions. If payment is to be made by cashier's check, Rolex shall make the check payable to the United States Department of Justice and delivered to:

Chief, FOIA Unit
Antitrust Division
United States Department of Justice
325 7th Street, NW
Suite 200
Washington, DC 20530

C. In the event of a default in payment, interest at the rate of eighteen (18) percent per annum shall accrue thereon from the date of default to the date of payment.

IV.
RETENTION OF JURISDICTION

Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Settlement Agreement and Order to apply to this Court at any time for further orders and

directions as may be necessary or appropriate to carry out or construe this Settlement Agreement and Order, for the enforcement of compliance herewith, and for the punishment of any violations hereof.

Civil Part J Judge
United States District Court Judge
Southern District of New York

DATED: 3/7/06