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#### UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

# UNITED STATES OF AMERICA and STATE OF NEW YORK,

Plaintiffs,

v.

STERICYCLE, INC., SAMW ACQUISITION CORP., and HEALTHCARE WASTE SOLUTIONS, INC., CASE NO.: 1:11-cv-00689-BAH

JUDGE: Beryl A. Howell

DECK TYPE: Antitrust

DATE STAMP:

Defendants.

#### CERTIFICATE OF COMPLIANCE WITH PROVISIONS OF THE ANTITRUST PROCEDURES AND PENALTIES ACT

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

1. Plaintiffs and defendants stipulated to the entry of the proposed Final Judgment in a Hold Separate Order and Stipulation filed on April 8, 2011. The proposed Final Judgment and Competitive Impact Statement were filed concurrently.

2. The proposed Final Judgment and Competitive Impact Statement were published in the *Federal Register* on April 14, 2011, *see* 76 Fed. Reg. 21006 (2011).

3. A summary of the terms of the proposed Final Judgment was published in the *Washington Post*, a newspaper of general circulation in the District of Columbia, for seven consecutive days beginning on April 14, 2011, and ending on April 20, 2011.

 Copies of the proposed Final Judgment and Competitive Impact Statement were furnished to all persons requesting them and made available on the Antitrust Division's Internet site.

5. As required by 15 U.S.C. § 16(g), defendants filed with the Court a description of written or oral communications by or on behalf of the defendants, or any other person, with any officer or employee of the United States concerning the proposed Final Judgment.

6. The sixty-day comment period prescribed by 15 U.S.C. § 16(b) and (d) for the receipt and consideration of written comments, during which the proposed Final Judgment could not be entered, ended on June 19, 2011.

7. The United States received no comments on the proposed Final Judgment.

8. The parties have now satisfied all the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), as a condition for entering the proposed Final Judgment, and it is now appropriate for the Court to make the necessary public interest determination required by 15 U.S.C. § 16(e) and to enter the proposed Final Judgment. Dated: June 23, 2011

Respectfully submitted,

UNITED STATES OF AMERICA

Lowell R. Stern (D.C. Bar #440487) United States Department of Justice Antitrust Division, Litigation II Section 450 5th Street, N.W., Suite 8700 Washington, D.C. 20530 (202) 514-3676

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#### **CERTIFICATE OF SERVICE**

I, Lowell R. Stern, hereby certify that on June  $\partial_{\underline{A}}$ , 2011, I caused a copy of the foregoing Plaintiff United States's Explanation of Consent Decree Procedures to be served upon Defendants Stericycle, Inc., SAMW Acquisition Corp., and Healthcare Waste Solutions, Inc. by mailing the documents electronically to the duly authorized legal representatives of Defendants as follows:

## Counsel for Defendants Stericycle, Inc., and SAMW Acquisition Corp.:

David A. Clanton, Esquire Baker & McKenzie LLP 815 Connecticut Avenue, NW Washington, D.C. 20006-4078 Tel: (202) 452-7014 Email: david.a.clanton@bakernet.com

### Counsel for Defendant Healthcare Waste Solutions, Inc.:

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