UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, and STATE OF NEW JERSEY, Plaintiffs, v. WASTE MANAGEMENT, INC., and ALLIED WASTE INDUSTRIES, INC., Defendants.	Case No: 1:03CV01409 JUDGE: Gladys Kessler DECK TYPE: ANTITRUST DATE STAMP: January 6, 2004

NOTICE, STIPULATION AND ORDER REGARDING TIME EXTENSIONS

Pursuant to Section IV.A. of the Final Judgment filed in this matter,[1] Plaintiff United

[1] Section IV.A. of the proposed Final Judgment provides as follows:

> Defendant Waste Management is ordered and directed, within ninety (90) calendar days after the filing of the Complaint in this matter, or five (5) days after notice of the entry of this Final Judgment by the Court, whichever is later, to divest the Relevant Disposal Assets and Relevant Hauling Assets, except for the New Jersey Assets, in a manner consistent with this Final Judgment to an Acquirer acceptable to the United States in its sole discretion. The United States, in its sole discretion, may agree to an extension of this time period of up to sixty (60) calendar days, and shall notify the Court in such circumstances. Defendants agree to use their best efforts to divest the Relevant Disposal Assets and Relevant Hauling Assets as expeditiously as possible.

The Final Judgment in this matter was entered on the Court's docket on December 16, 2003, and notice of its entry was received by Plaintiff United States of America on the same day. Pursuant to Section IV.A., Defendant Waste Management, Inc. was required initially to divest the Relevant Disposal Assets and Relevant Hauling Assets, except for the New Jersey Assets, by December 21, 2003.

States of America ("United States") submits this notice to the Court that it has extended the period for Defendant Waste Management, Inc. ("Waste Management") to divest the Relevant Disposal Assets and the Relevant Hauling Assets, except for the New Jersey Assets (as defined, respectively, in Sections II.I., J., and K. of the Final Judgment). Waste Management has requested, and the United States has agreed to an extension of time to allow Waste Management to complete the divestiture of the assets identified above.

Specifically, the United States has agreed to an extension until February 19, 2004, by which time Waste Management shall have divested the Relevant Disposal Assets and the Relevant Hauling Assets pursuant to the terms of the Final Judgment. The United States reserves its right under the Final Judgment to review and approve any divestiture agreement and approve the Acquirer of the assets to be divested.

In addition, the United States filed on November 19, 2003, its Notice Regarding Time Extension whereby it advised the Court that, pursuant to Section IV.B.[2] of the Final Judgment, it

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[2] Section IV.B. of the proposed Final Judgment provides as follows:

> Defendants are ordered and directed, within ninety (90) calendar days after the approval by the New Jersey Department of Environmental Protection of Waste Management's request to acquire Allied's assets in New Jersey, to divest the New Jersey Assets in a manner consistent with this Final Judgment and state law to an Acquirer acceptable to the United States, in its sole discretion, after consultation with New Jersey. The United States, in its sole discretion, after consultation with New Jersey, may agree to an extension of this time period up to sixty (60) calendar days, and shall notify the Court in such circumstances.

The New Jersey Department of Environmental Protection approved Waste Management's request to acquire the New Jersey Assets on August 6, 2003.

had extended the period for Waste Management to divest the New Jersey Assets to January 6, 2004. Since November 19, 2003, Waste Management has made significant progress toward consummating the sale of the New Jersey Assets, but that process is not yet completed. The United States, after consultation with the State of New Jersey ("New Jersey"), Waste Management, and Defendant Allied Waste Industries, Inc. hereby stipulate that the time period provided in Section IV.B. of the Final Judgment for the sale of the New Jersey Assets be extended until February 19, 2004.

Dated this 6th day of January, 2004.

Respectfully submitted,

FOR PLAINTIFF
UNITED STATES OF AMERICA

/s/

Michael K. Hammaker
DC Bar No. 233684
U.S. Department of Justice
Antitrust Division
1401 H Street, NW, Suite 3000
Washington, DC 20530
(202) 307-0938

FOR PLAINTIFF
STATE OF NEW JERSEY
Peter C. Harvey
Attorney General of New Jersey
By:

_____/s/_____
Andrew L. Rossner
Assistant Attorney General--Deputy Director
New Jersey Division of Criminal Justice
P.O. Box 085
Trenton, New Jersey 08625-0085
(609) 984-0028

FOR DEFENDANT
WASTE MANAGEMENT, INC.

/s/

James R. Weiss
Preston Gates Ellis & Rouvelas Meeds LLP
1735 New York Avenue, NW
Suite 500
Washington, DC 20006
(202) 628-1700

FOR DEFENDANT
ALLIED WASTE INDUSTRIES, INC.

/s/

Tom D. Smith
Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001-2113
(202) 879-3971

Date: _____

ORDER

IT IS SO ORDERED ON THIS ___ DAY OF _____, 2004.

_____
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January, 2004, I caused a copy of the foregoing Notice, Stipulation and Order Regarding Time Extensions to be served by electronic filing on Waste Management, Inc. and Allied Waste Industries, Inc., and by first class mail, postage prepaid, on the State of New Jersey at the addresses given below:

Counsel for Defendant Waste Management, Inc.
James R. Weiss, Esquire
Preston Gates Ellis & Rouvelas Meeds LLP
1735 New York Avenue, NW, Suite 500
Washington, DC 20006
jimwe@prestongates.com
(202) 628-1700

Counsel for Defendant Allied Waste Industries, Inc.
Tom D. Smith, Esquire
Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001-2113
tdsmith@jonesday.com
(202) 879-3971

Counsel for Plaintiff State of New Jersey
Andrew L. Rossner, Esquire
Assistant Attorney General--Deputy Director
New Jersey Attorney General's Office, Division of Criminal Justice
25 Market Street
Trenton, NJ 08625-0085
(609) 984-0028

/s/
Stacy R. Procter
CA Bar No. 221078
U.S. Department of Justice
Antitrust Division
1401 H Street, NW, Suite 3000
Washington, DC 20530
(202) 514-8666