

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

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**UNIVISION COMMUNICATIONS INC.,**

and

**HISPANIC BROADCASTING  
CORPORATION,**

Defendants.

Civil Action No. 1:03CV00758

Judge: Hon. Rosemary M. Collyer

**UNITED STATES' CERTIFICATE OF COMPLIANCE WITH  
THE ANTITRUST PROCEDURES AND PENALTIES ACT**

Plaintiff, the United States of America, hereby certifies that it has complied with the provisions of the Antitrust Procedures and Penalties Act, 15 U.S.C. §§ 16(b)-(h) ("APPA"), and states:

1. The Complaint, Proposed Final Judgment, and Stipulation and Order, by which the parties have agreed to the Court's entry of the Final Judgment following compliance with the APPA, were filed on March 26, 2003. The United States filed its Competitive Impact Statement on May 7, 2003;
2. Pursuant to 15 U.S.C. § 16(b), the United States published the Proposed Final Judgment, Stipulation and Order, and Competitive Impact Statement in the *Federal Register* on May 21, 2003, Volume 68, Number 98, beginning on page 27851 (a copy of which is attached as Exhibit 1);
3. Pursuant to 15 U.S.C. § 16(b), the United States furnished copies of the Complaint, Stipulation and Order, Proposed Final Judgment, and Competitive Impact Statement to anyone requesting them;
4. Pursuant to 15 U.S.C. § 16(c), the United States published a summary of the terms of the proposed Final Judgment and Competitive Impact Statement in *The*

*Washington Post*, a newspaper of general circulation in the District of Columbia, during the period of May 23-29, 2003 (a copy of the Proof of Publication from *The Washington Post* is attached as Exhibit 2);

5. The 60-day comment period specified in 15 U.S.C. § 16(b) commenced on May 23, 2003, and terminated on July 23, 2003. During that period, the United States received two comments on the Proposed Final Judgment. The United States evaluated and responded to each comment and filed with the Court the comments and responses on October 31, 2003. Pursuant to 15 U.S.C. §§ 16(b) and (d), the United States published the comments and its responses in the *Federal Register* on November 28, 2003, Volume 68, Number 98, beginning on page 66854 (a copy of which is attached as Exhibit 3);
6. Defendant Hispanic Broadcasting Corp. and defendant Univision Communications Inc. filed on March 28, 2003 and April 4, 2003, declarations that describe their communications with employees of the United States concerning the Proposed Final Judgment, as required by 15 U.S.C. § 16(g);
7. The public comments did not persuade the United States to withdraw its consent to entry of the Proposed Final Judgment. With the United States having published its proposed settlement, filed and published its responses to public comments, and the defendants having certified their presettlement contacts with government officials, the parties have fulfilled their obligations under the APPA. Pursuant to the Stipulation and Order filed on March 26, 2003, and entered by this Court on March 27, 2003, and 15 U.S.C. § 16(e), the Court may now enter the Final Judgment, if the Court determines that the entry of the Final Judgment is in the public interest; and

8. Plaintiff requests that this Court enter the Final Judgment without further hearings and is authorized by counsel for defendants to state that defendants join in this request.

Dated this 18<sup>th</sup> day of December 2003.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
William H. Stallings  
Litigation III Section  
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United States Department of Justice  
325 7th Street, N.W., Suite 300  
Washington, D.C. 20530

## CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing United States' Certificate of Compliance with the Antitrust Procedures and Penalties Act was served on the following counsel, by electronic mail in PDF format, this 18<sup>th</sup> day of December, 2003:

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and on the following entities by facsimile and U.S. Mail, on this same date:

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/s/  
William H. Stallings