

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,  
Plaintiff,

v.

FIAT S.p.A.,  
FIAT ACQUISITION CORPORATION,  
NEW HOLLAND N.V.,  
NEW HOLLAND NORTH AMERICA, INC., and  
CASE CORPORATION,  
Defendants.

Civil No: 99-02927 (JR)

Filed:

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**UNITED STATES RESPONSE TO COMMENTS**

The United States of America hereby files with the Court the written comments that it received in this case, and its responses thereto, and states:

1. The Complaint in this case, the proposed Final Judgment, and the Hold Separate Stipulation and Order (“Stipulation”) were filed on November 4, 1999. The United States’ Competitive Impact Statement was filed on November 19, 1999.
2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment, Stipulation, and Competitive Impact Statement were published in the *Federal Register* on December 7, 1999 (64 Fed. Reg. 68377-87).
3. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the proposed Final Judgment and the Competitive Impact Statement were published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, during the period November 6, 1999 through December 6, 1999.

4. The 60-day comment period specified in 15 U.S.C. § 16(b) ended on February 5, 2000. The United States received two written comments on the proposed settlement: (1) from Mark Zeltwanger of Wyatt Farm Center, on December 27, 1999 (attached as Exhibit 1); and (2) from August P. Hau of Hau Nutrition Service, on November 30, 1999 (attached as Exhibit 3).

5. Pursuant to 15 U.S.C. § 16(d), the United States has considered and responded to these comments. Copies of the United States' responses are attached as Exhibits 2 and 4.

6. The United States is making arrangements to have these comments and the United States' responses thereto published in the *Federal Register*, pursuant to 15 U.S.C. § 16(d). As soon as that publication has been effected, the United States will notify the Court that it has complied with the requirements of the Antitrust Procedures and Penalties Act ("APPA"), 15 U.S.C. § 16(b)-(d), and that the Court may then enter the proposed Final Judgment after it determines that the Judgment serves the public interest.

Dated: February 9, 2000

Respectfully submitted,

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/s/  
Joan Farragher  
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