



INVESTIGATIONS

| Total Investigations Initiated, by Primary Type of Conduct ¹ | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Sherman §1 - Restraint of Trade ² | 100 | 87 | 69 | 66 | 70 | 46 | 47 | 31 | 25 | 31 |
| Sherman §2 - Monopoly | 3 | 3 | 1 | 0 | 4 | 2 | 2 | 2 | 2 | 0 |
| Clayton §7 - Mergers | 108 | 96 | 101 | 84 | 68 | 64 | 90 | 74 | 65 | 80 |
| Others ³ | 5* | 14* | 15 | 21* | 21* | 3* | 3 | 0* | 0 | 2 |
| | | | | | | | | | | |
| Business Reviews | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
| Requested | 6 | 6 | 9 | 8 | 3 | 9 | 1 | 3 | 3 | 3 |
| Closed | 1 | 10 | 6 | 6 | 9 | 7 | 3 | 7 | 5 | 0 |
| • Granted | 0 | 4 | 5 | 2 | 5 | 5 | 1 | 1 | 3 | 0 |

¹ Statistics reflect only the primary type of conduct under investigation at the outset of the investigation; this report does not reflect whether a matter investigated a potential violation of an additional statute(s), or whether the primary violation changed during the pendency of the investigation. See "District Court Antitrust Cases" for numbers of cases by offense. Does not include business reviews, judgment modification or termination investigations, or premerger notifications, but includes investigations initiated as a result of premerger notifications.

² This category reflects both civil and criminal investigations.

³ This category includes investigations of potential violations of Clayton §§ 3, 7A, and 8, the Robinson-Patman Act, and Title 18, among other statutes.

* Value has been restated from its previously reported value to be consistent with the definitions outlined in the footnotes to this report.

Antitrust Division, Workload Statistics

| • Denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
|----------------------------------------------------|----------------------|---------------------------------------------------|----------------------|----------------------|--------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| • Declined | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 2 | 0 |
| • Withdrawn | 1 | 6 | 1 | 4 | 3 | 1 | 1 | 6 | 0 | 0 |
| Pending | 11 | 7 | 10 | 12 | 6 | 8 | 6 | 2 | 0 | 3 |
| | | | | | | | | | | |
| | | , | | | | | | | | |
| Hart-Scott-Rodino (HSR) Premerger Notifications | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
| | 2005 1,675 | 2006 1,768 | 2007 2,201 | 2008 1,726 | 2009 716 | 2010 1,166 | 2011 1,450 | 2012 1,429 | 2013 1,326 | 2014 1,663 |
| Notifications | | | | | | | | | | |

| Total Preliminary Inquiries: Criminal, Civil Non-Merger, and Merger | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Initiated ⁴ | 184 | 172 | 157 | 147 | 138 | 109 | 128 | 96* | 81 | 100 |
| Matters that exited the Preliminary Inquiry Phase | 185 | 189 | 146 | 146 | 150 | 133 | 152 | 101 | 100 | 94 |
| Pending | 125 | 108 | 119 | 120 | 108 | 84 | 60 | 55* | 36* | 42* |

| CIDs Issued | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|--------------|------|------|------|------|------|------|------|------|------|------|
| Total number | 727 | 376 | 527 | 355 | 510 | 480 | 476 | 474 | 338 | 331 |

⁴ Every investigation, with the exception of certain criminal matters that open as grand jury investigations, opens as a preliminary inquiry. Matters exit the preliminary inquiry phase by closing; in the case of criminal preliminary inquiries, becoming grand jury investigations; or in the case of civil preliminary inquiries, through the issuance of Civil Investigative Demands. This category only addresses investigations in the civil or criminal preliminary inquiry stage. Investigations opened with the purpose of exploring judgment modification or termination are not included here in the total number of preliminary inquiries initiated. Such judgment modification/termination investigations are addressed separately under the Judgment Enforcement sections.

| Documentary | 104 | 11 | 55 | 65 | 59 | 58 | 98 | 47 | 28 | 19 |
|----------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Interrogatory ⁵ | 6 | 1 | 0 | 1 | 7 | 2 | 3 | 16 | 18 | 10 |
| Oral | 161 | 131 | 150 | 125 | 132 | 89 | 99 | 130 | 98 | 80 |
| Documentary/Interrogatory ⁶ | 446 | 231 | 318 | 157 | 302 | 326 | 275 | 279 | 176 | 221 |
| Oral/Documentary ⁷ | 10 | 2 | 4 | 7 | 10 | 5 | 1 | 2 | 18 | 1 |

CIVIL INVESTIGATIONS

| Merger Investigations | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|--------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Total Number (HSR and Non-HSR Investigations) | 108 | 96 | 101 | 84 | 68 | 64 | 90 | 74 | 65 | 80 |
| HSR Investigations | 90 | 77 | 82 | 70 | 49 | 55 | 72 | 61 | 50 | 67 |
| HSR Investigations: Second Requests | 25 | 17 | 32 | 20 | 16 | 22 | 31 | 29 | 22 | 21 |
| Non-HSR Investigations | 18 | 19 | 19 | 14 | 19 | 9 | 18 | 13 | 15 | 13 |
| Non-HSR Investigations: CIDs Issued | 7 | 5 | 1 | 2 | 9 | 6 | 6 | 8 | 4 | 5 |
| Merger CIDs Issued | 510 | 276 | 395 | 205 | 263 | 344 | 328 | 350 | 270 | 299 |

| Non-Merger Investigations | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Total Number | 29 | 35 | 14 | 24 | 33 | 26 | 17 | 8* | 10 | 8 |
| Non-Merger Investigations: CIDs Issued | 19 | 16 | 12 | 11 | 20 | 12 | 9 | 7 | 5 | 6 |

⁵ Prior to FY 2014, Civil Investigative Demands for interrogatory responses were labeled "written."

⁶ Combined documentary and written CIDs served to one person, corporation, partnership or legal entity.

⁷ Combined oral and documentary CIDs served to one person, corporation, partnership or legal entity. Statistic is only available from FY 2005.

| | | | | | | | | | | 1 |
|------------------------|-----|-----|-----|-----|-----|-----|-----|-----|----|----|
| Non-Merger CIDs Issued | 217 | 100 | 132 | 150 | 247 | 136 | 148 | 124 | 68 | 32 |

| Civil Investigation Results | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-----------------------------------------------------------------------------------------------------------------|------|------|------|------|------|-----------------|------|------|------|------|
| Merger Investigations: Total Number of Public Challenges | 4 | 16 | 12 | 16 | 12 | 19 ⁸ | 20 | 19 | 15 | 16 |
| • Actions Filed in District Court ⁹ | 3 | 10 | 4 | 15 | 7 | 10 | 13 | 8 | 7 | 7 |
| Transactions Restructured or Abandoned Prior to Filing a Complaint as Result of an Announced Challenge | 1 | 6 | 8 | 1 | 5 | 8 | 7 | 11 | 8 | 9 |
| Non-Merger Investigations: Actions Filed in District Court | 8 | 2 | 2 | 4 | 2 | 4 | 5 | 5 | 5 | 1 |

CRIMINAL INVESTIGATIONS AND CASES

| Grand Jury Investigations | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------|------|------|------|------|------|------|------|------|------|------|
| Initiated | 38 | 38 | 34 | 32 | 38 | 12 | 17 | 12 | 13 | 16 |
| Terminated | 27 | 42 | 22 | 30 | 31 | 32 | 66 | 24 | 14 | 11 |
| Pending | 128 | 123 | 135 | 137 | 144 | 124 | 75 | 63 | 62 | 67 |

| Criminal Cases Filed | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------|------|------|------|------|------|------|------|------|------|------|
| Total Cases Filed | 32 | 34 | 40 | 54 | 72 | 60 | 90 | 67 | 50 | 45 |
| Individuals Charged | 47 | 37 | 47 | 59 | 65 | 63 | 82 | 63 | 34 | 44 |
| Corporations Charged | 27 | 24 | 10 | 25 | 22 | 21 | 27 | 16 | 21 | 18 |

⁸ One action filed in District Court challenged two separate mergers, resulting in 19 merger challenges.

⁹ These statistics are the same as those reported under "District Court Antitrust Cases - Merger Cases Filed" on page 6.

Antitrust Division, Workload Statistics

DISTRICT COURT ANTITRUST CASES¹⁰

| TOTAL CIVIL CASES | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|--------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 11 | 12 | 6 | 19 | 9 | 14 | 18 | 13 | 12 | 8 |
| Terminated ¹¹ | 6 | 20 | 9 | 11 | 16 | 11 | 11 | 20 | 10 | 12 |
| • Won | 6 | 17 | 9 | 11 | 16 | 11 | 11 | 20 | 10 | 12 |
| • Lost | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Dismissed | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pending | 24 | 16 | 13 | 21 | 14 | 17 | 24 | 17 | 19 | 15 |

| RESTRAINT OF TRADE - CIVIL (SHERMAN §1) | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|--------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 7 | 1 | 1 | 2 | 0 | 3 | 4 | 3 | 3 | 0 |
| Terminated | 1 | 9 | 1 | 2 | 1 | 1 | 1 | 2 | 3 | 5 |
| • Won | 1 | 8 | 1 | 2 | 1 | 1 | 1 | 2 | 3 | 5 |
| • Lost | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Dismissed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| MONOPOLY - CIVIL (SHERMAN §2) | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |

¹⁰ The category of Damage Actions – Civil was removed from the FY 2014 Workload Statistics Report.

¹¹ Figures are computed using the closing date of the case.

| Terminated | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
|-------------|---|---|---|---|---|---|---|---|---|---|
| • Won | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| • Lost | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Dismissed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| MERGER CASES (CLAYTON §7) | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 3 | 10 | 4 | 15 | 7 | 10 | 13 | 8 | 7 | 7 |
| Terminated | 4 | 6 | 6 | 8 | 15 | 9 | 10 | 12 | 7 | 5 |
| • Won | 4 | 5 | 6 | 8 | 15 | 9 | 10 | 12 | 7 | 5 |
| • Lost | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Dismissed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| OTHER CIVIL | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 1 | 1 | 1 | 2 | 2 | 1 | 0 | 2 | 2 | 1 |
| Terminated | 1 | 5 | 1 | 1 | 0 | 1 | 0 | 4 | 0 | 2 |
| • Won | 1 | 4 | 1 | 1 | 0 | 1 | 0 | 4 | 0 | 2 |
| • Lost | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dismissed | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| TOTAL CRIMINAL CASES | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 32 | 34 | 40 | 54 | 72 | 60 | 90 | 67 | 50 | 45 |
| Won | 36 | 31 | 31 | 47 | 67 | 41 | 62 | 95 | 40 | 54 |
| Lost | 1 | 0 | 1 | 4 | 2 | 1 | 2 | 3 | 0 | 1 |
| Pending | 43 | 44 | 54 | 57 | 60 | 55 | 77 | 45 | 54 | 45 |
| Appeal Decisions | 4 | 5 | 1 | 4 | 2 | 7 | 6 | 5 | 1 | 4 |

Antitrust Division, Workload Statistics

| RESTRAINT OF TRADE - CRIMINAL (SHERMAN §1) | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-----------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 23 | 21 | 25 | 26 | 37 | 41 | 63 | 58 | 45 | 37 |
| Won | 31 | 20 | 19 | 25 | 29 | 28 | 37 | 82 | 37 | 45 |
| Lost | 1 | 0 | 1 | 3 | 2 | 0 | 0 | 0 | 0 | 0 |
| Pending ¹² | 35 | 36 | 41 | 39 | 45 | 42 | 69 | 43 | 50 | 42 |

| OTHER CRIMINAL CASES Charging Primarily Other Federal Crimes such as Perjury, Mail Fraud, Contempt, Obstruction of Justice, or False Statements | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 9 | 13 | 15 | 28 | 35 | 19 | 27 | 9 | 5 | 8 |
| Won | 5 | 11 | 12 | 22 | 38 | 13 | 25 | 13 | 3 | 9 |
| Lost | 0 | 0 | 0 | 1 | 0 | 1 | 2 | 3 | 0 | 1 |
| Pending ¹³ | 8 | 10 | 13 | 18 | 15 | 13 | 8 | 2 | 4 | 3 |

¹² This represents the number of Cases pending identifiable as a case with a Sherman Act – Restraint of Trade violation. This updated information is as of FY 2010, and replaces the method previously used. A pending case is defined as a case whereby no defendant in a case has entered a plea of guilty or has been found guilty at trial.

¹³ This represents the number of Cases pending identifiable as charging primarily other federal crimes such as perjury, mail fraud, contempt, obstruction of justice, false statements or other charges that <u>are not Sherman Act – Restraint of Trade violations</u>. This updated information is as of FY 2010, and replaces the method previously used. A pending case is defined as a case whereby no defendant in a case has entered a plea of guilty or has been found guilty at trial.

APPELLATE CASES

| ANTITRUST DIVISION CASES COURT OF APPEALS | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 3 | 0 | 2 | 6 | 1 | 4 | 9 | 5 | 5 | 10 |
| Terminated | 5 | 7 | 1 | 6 | 3 | 8 | 3 | 6 | 0 | 6 |
| • Won | 4 | 7 | 1 | 6 | 3 | 8 | 3 | 5 | 0 | 5 |
| • Lost | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Dismissed | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| ANTITRUST DIVISION CASES SUPREME COURT | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 1 | 2 | 0 | 0 | 0 | 2 | 3 | 1 | 0 | 0 |
| Terminated | 0 | 0 | 2 | 0 | 3 | 2 | 3 | 0 | 1 | 0 |
| • Won | 0 | 0 | 1 | 0 | 3 | 2 | 3 | 0 | 1 | 0 |
| • Lost | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Dismissed | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| AMICUS CASES COURT OF APPEALS | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-----------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 2 | 1 | 1 | 0 | 2 | 2 | 4 | 0 | 5 | 0 |
| Terminated | 4 | 1 | 0 | 0 | 2 | 2 | 1 | 0 | 0 | 3 |
| Primary DOJ Position Accepted | 3 | 1 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 3 |
| Primary DOJ Position Not Accepted | 1 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |

| AMICUS CASES SUPREME COURT | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-----------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 4 | 4 | 4 | 2 | 2 | 0 | 0 | 0 | 1 | 0 |
| Terminated | 1 | 5 | 5 | 0 | 1 | 1 | 0 | 0 | 1 | 0 |
| Primary DOJ Position Accepted | 1 | 5 | 4 | 0 | 1 | 1 | 0 | 0 | 0 | 0 |
| Primary DOJ Position Not Accepted | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |

| OTHER AGENCIES' CASES (ADMINISTRATIVE LAW CASES) COURT OF APPEALS | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 101 | 59 | 65 | 128 | 58 | 29 | 21 | 28 | 15 | 19 |
| Terminated | 79 | 34 | 27 | 59 | 44 | 19 | 16 | 7 | 14 | 6 |
| • Won | 10 | 17 | 14 | 16 | 24 | 8 | 11 | 5 | 9 | 6 |
| • Lost | 9 | 3 | 3 | 2 | 8 | 4 | 1 | 0 | 2 | 0 |
| • Dismissed | 60 | 14 | 10 | 11 | 12 | 7 | 4 | 2 | 3 | 6 |

| OTHER AGENCIES' CASES SUPREME COURT | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Filed | 6 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Terminated | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Won | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Lost | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| • Dismissed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

JUDGMENT ENFORCEMENT

| JUDGMENT ENFORCEMENT | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-----------------------------|------|------|------|------|------|------|------|------|------|------|
| Divestitures | 3 | 8 | 3 | 15 | 6 | 9 | 8 | 7 | 4 | 9 |
| Decrees Modified/Terminated | 1 | 1 | 2 | 4 | 3 | 2 | 1 | 0 | 3 | 1 |
| Contempt Cases | 1 | 2 | 1 | 2 | 1 | 0 | 0 | 0 | 1 | 0 |

| JUDGMENT ENFORCEMENT: Modification/Termination Investigations ¹⁴ | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|-----------------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Initiated | 1 | 4 | 0 | 3 | 1* | 4 | 0 | 0 | 0 | 1 |
| Terminated | 2 | 15* | 1 | 5 | 2* | 2 | 0 | 1 | 0 | 0 |
| Pending | 16* | 5 | 4 | 2 | 1 | 3 | 3 | 2 | 2 | 3 |

CASE RESULTS¹⁵

| FINES IMPOSED ¹⁶ | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|------------------------------------------------------|-------|-------|--------|-------|------|-------|-------|-------|-------|-------|
| Individual: Total Individual Fines (\$000) | 4,483 | 3,650 | 15,109 | 1,485 | 605 | 4,373 | 1,522 | 2,141 | 3,069 | 2,016 |

¹⁴ These are investigations to determine whether a judgment should be modified or terminated.

¹⁵ Dollar figures are amounts imposed during the fiscal year.

¹⁶ "Fines imposed" are the total of criminal fines imposed by courts in judgments against defendants in Antitrust Division prosecutions. These totals do not include fines "agreed to" by defendants in plea agreements during the fiscal year but not yet imposed by the court. The Department tracks separately fine collection totals, see http://www.justice.gov/atr/public/press releases/2015/311240.htm, which include all fines, court costs, and other fees that have been paid in satisfaction of judgments in Antitrust Division prosecutions, and which may differ from fines imposed or agreed to due to the use of payment plans.

| Number of Individuals Fined | 22 | 17 | 25 | 23 | 27 | 19 | 25 | 31 | 29 | 24 |
|-------------------------------------------------|---------|---------|---------|---------|---------|---------|---------|-----------|---------|-----------|
| Corporate: Total Corporate Fines (\$000) | 595,966 | 469,805 | 615,671 | 695,042 | 973,740 | 338,645 | 380,032 | 1,472,968 | 272,214 | 1,904,714 |
| Number of Corporations Fined | 18 | 18 | 12 | 12 | 16 | 11 | 11 | 33 | 24 | 25 |
| Total Fines Imposed (\$000) | 600,449 | 473,455 | 630,780 | 696,527 | 974,345 | 343,017 | 381,554 | 1,475,109 | 275,283 | 1,906,730 |

| OTHER CASE RESULTS | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------------------------------------------------------------------|--------|-------|-------|--------|--------|--------|--------|-------|-------|-------|
| Restitution Imposed in Connection with Criminal Cases ¹⁷ (\$000) | 10,371 | 2,165 | 4,790 | 5,226 | 17,060 | 24,271 | 6,377 | 3,297 | 6,883 | 1,650 |
| Number of Defendants | 15 | 7 | 23 | 8 | 22 | 18 | 25 | 28 | 17 | 10 |
| HSR Penalties (\$000) | 2,000 | 2,150 | 250 | 1,650 | 2,200 | 900 | 0 | 500 | 2,050 | 896 |
| Number of Corporations | 1 | 1 | 0 | 2 | 2 | 1 | 0 | 0 | 2 | 1 |
| Number of Individuals | 0 | 1 | 1 | 0 | 1 | 0 | 0 | 1 | 1 | 0 |
| Disgorgements (\$000) ¹⁸ | 0 | 0 | 0 | 0 | 0 | 0 | 12,000 | 4,800 | 0 | 0 |
| Civil Contempt Settlements (\$000) ¹⁹ | 4,500 | 935 | 125 | 2,580^ | 2,050 | 0 | 0 | 0 | 400^ | 0 |

^ Value includes civil contempt cases where the payment included disgorgement of profits from the alleged violations.

¹⁷ Frequently restitution is not sought in criminal antitrust cases, as damages are obtained through treble damage actions filed by the victims.

¹⁸ This is a new statistic as of the FY 2014 Workload Statistics Report. Disgorgements represent the total dollar amount paid by defendants to the government as equitable relief to prevent unjust enrichment from violating the antitrust laws.

¹⁹ This is a new statistic as of the FY 2014 Workload Statistics Report. Civil Contempt Settlements represent the total dollar amount paid by defendants to the government to settle consent decree violations and may include the full costs of investigation related to consent decree violations. The settlement, in some cases, may also include disgorgement payments.

CONFINEMENT

| INCARCERATION | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|----------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Number of Individuals Sentenced | 27 | 28 | 39 | 31 | 44 | 37 | 39 | 55 | 39 | 35 |
| Number of Individuals Sentenced to Incarceration Time | 18 | 19 | 34 | 19 | 35 | 29 | 21 | 45 | 28 | 21 |
| Average Number of Days of Incarceration ²⁰ | 731 | 283 | 923 | 754 | 726 | 898 | 502 | 747 | 750 | 787 |

| OTHER CONFINEMENT ²¹ | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|--------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Individuals Sentenced to Other Confinement | 6 | 13 | 5 | 11 | 9 | 6 | 12 | 4 | 5 | 7 |
| Average Number of Days of Other Confinement ²² | 212 | 212 | 217 | 186 | 244 | 216 | 173 | 135 | 162 | 181 |

GENERAL ANTITRUST ACTIVITIES

| PARTICIPATION IN BANK MERGER PROCEEDINGS | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|------------------------------------------------|------|-------|-------|------|------|------|------|------|------|------|
| Total Screenings | 943 | 1,048 | 1,030 | 656 | 463 | 379 | 428 | 519 | 511 | 544 |
| Screenings Requiring Competitive | 532 | 592 | 737 | 511 | 342 | 294 | 341 | 519 | 511 | 544 |

²⁰ This is a new statistic as of the FY 2014 Workload Statistics Report.

²¹ Includes house arrest or confinement to a halfway house or community treatment center.

²² This is a new statistic as of the FY 2014 Workload Statistics Report.

| Analysis ²³ | | | | | |
|------------------------|--|--|--|--|--|

| INTERNATIONAL ANTITRUST ACTIVITY | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Notifications to Foreign Governments and International Organizations | 115 | 108 | 126 | 118 | 77 | 35 | 38 | 41 | 25 | 65 |
| Representation at and Negotiations with Foreign Governments and International Organizations | 31 | 70 | 44 | 41 | 50 | 30 | 41 | 37 | 35 | 36 |
| Applications for Export Trade Certificates | 11 | 6 | 10 | 14 | 6 | 11 | 6 | 7 | 10 | 6 |
| Certificates Issued | 8 | 6 | 8 | 15 | 5 | 10 | 5 | 7 | 8 | 7 |

| FILINGS IN REGULATORY AGENCY PROCEEDINGS | 2005 | 2006 | 2006 | 2007 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Department of Transportation | 1 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 0 |
| Federal Energy Regulatory Commission | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Securities and Exchange Commission | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |
| Federal Communications Commission | 0 | 3 | 1 | 0 | 0 | 1 | 1 | 0 | 1 | 2 |
| Federal Maritime Commission | 3 | 1 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 0 |
| Interstate Commerce Commission | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 1 | 1 | 1 | 1 | 4 | 3 | 1 | 0 | 0 | 0 |

²³ As of FY 2012, the Division's practice is to conduct a competitive analysis of all bank merger applications forwarded to the Division for review, and not to draw a distinction between transactions that require competitive screening and transactions that may be competitively neutral. Previously, applications involving formations of bank holding companies did not receive the same competitive analysis and were treated separately in the workload statistics.

| 0 | | | 1 | 1 | | 1 | | | | |
|-------|---|---|---|---|---|---|---|---|---|---|
| Total | 6 | 6 | 3 | 1 | 5 | 8 | 3 | 1 | 2 | 2 |

| OTHER DIVISION ACTIVITIES ²⁴ | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|--------------------------------------------|------|------|------|------|------|------|------|------|------|------|
| 4F Requests ²⁵ | 0 | 0 | 2 | 1 | 0 | 1 | 0 | 0 | 1 | 1 |
| Advice on Surplus Property | 7 | 3 | 5 | 4 | 0 | 4 | 0 | 3 | 2 | 5 |
| Congressional Appearances | 0 | 2 | 3 | 2 | 5 | 5 | 1 | 2 | 2 | 3 |
| Congressional/OMB Requests for Comments | 338 | 512 | 395 | 571 | 311 | 332 | 59 | 232 | 328 | 265 |
| White House Referrals | 1 | 3 | 0 | 1 | 0 | 2 | 2 | 1 | 1 | 1 |
| Congressional Correspondence | 85 | 92 | 82 | 90 | 117 | 71 | 78 | 130 | 81 | 69 |
| Statutory Reports | 39 | 56 | 77 | 63 | 40 | 74 | 95 | 73 | 84 | 83 |
| Joint Research & Development Filings | 45 | 19 | 19 | 28 | 22 | 20 | 12 | 21 | 11 | 16 |
| FOIA Requests | 136 | 103 | 85 | 101 | 98 | 86 | 80 | 137 | 117 | 102 |
| Privacy Act Requests | 15 | 9 | 10 | 8 | 11 | 12 | 11 | 9 | 9 | 6 |

²⁴ The category of Meetings of Interagency Task Forces/Committees was removed from the FY 2014 Workload Statistics Report.

²⁵ The number of requests to the Chief of the FOIA/Privacy Act Unit from state attorneys general for access to investigative files or other Division material pursuant to Section 4F(b) of the Clayton Act, 15 U.S.C. § 15f(b).