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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. RICHFIELD OIL CORP., *et al.*, Defendants.	Misc. No. 2:19-MC-00074 **DECLARATION OF ALBERT B. SAMBAT IN SUPPORT OF UNITED STATES' MOTION TO TERMINATE LEGACY ANTITRUST JUDGMENT**

I, Albert B. Sambat, do hereby declare and state as follows:

1. I am an attorney admitted to practice in the Central District of California. Since 2004, I have been employed as a Trial Attorney by the Antitrust Division of the United States Department of Justice.

2. This Declaration is being submitted in support of the United States' Motion to Terminate Legacy Antitrust Judgment in the above-captioned matter.

3. The statements made in this Declaration are based on the knowledge acquired by me in the performance of my official duties and in conjunction with factual and legal research conducted by other attorneys and staff in the Antitrust Division.

4. In early 2018, the Department of Justice ("the Department") implemented a program to review and, when appropriate, seek termination of older antitrust judgments in which parties were subjected to some type of affirmative obligation or express prohibition that did not have an expiration date. These perpetual judgments were standard practice until 1979, when the Antitrust Division adopted the practice of including a term limit of ten years in nearly all of its antitrust judgments.

5. On April 25, 2018, the Antitrust Division issued a press release announcing its efforts to review and terminate legacy antitrust judgments, and noting that it would begin its efforts by proposing to terminate judgments entered by the federal district courts in Washington, D.C., and Alexandria, Virginia. *See* Press Release, Department of Justice, Department of Justice Announces Initiative to Terminate "Legacy" Antitrust Judgments, (April 25, 2018), https://www.justice.gov/opa/pr/department-justice-announces-initiative-terminate-legacy-antitrust-judgments.

6. The procedure for reviewing and seeking to terminate such perpetual judgments was as follows:

- The Antitrust Division reviewed its perpetual judgments entered by this Court and other federal district courts to identify those judgments that no longer serve to protect competition such that termination would be appropriate.
- When the Antitrust Division identified a judgment it believed suitable for termination, it posted the name of the case and a link to the judgment on its public Judgment Termination Initiative website, https://www.justice.gov/atr/JudgmentTermination.
- On March 22, 2019, the Antitrust Division listed the judgment in the above-captioned case on its public website, describing its intent to move to terminate the judgment. The notice identified each case, linked to the judgment, and invited public comment. *See* https://www.justice.gov/atr/judgment-termination-initiative-california-central-district.

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- The public had the opportunity to submit comments regarding each proposed termination to the Antitrust Division within thirty days of the date the case name and judgment link was posted to the public website. For the judgment at issue in this motion, the deadline for such comments was April 19, 2019.

7. The Antitrust Division did not receive any public comments relating to the case at issue in this motion.

8. The judgment in *Richfield Oil Corp., et al*., was entered in 1966. Based on research conducted by myself and my colleagues, all the requirements of the judgment have been met.

9. A copy of the underlying judgment at issue in this motion is attached to the Motion and Memorandum in Support as Appendix A. The version attached is identical to the version that was made available on the Antitrust Division's Judgment Termination Initiative public website for the Central District of California. *See* https://www.justice.gov/atr/judgment-termination-initiative-california-central-district.

Having reviewed this Declaration, I declare, under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Respectfully submitted,

DATE: 6/5/2019

/s/

ALBERT B. SAMBAT
Trial Attorney
San Francisco Office
Antitrust Division
United States Department of Justice