

**UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,
Plaintiff,

v.

NEW YORK PRODUCE
EXCHANGE, *et al.*,
Defendants.

1:20-mc-779

(Originally Civil Action No. 147-349)

DECLARATION OF T. JAKOB SEBROW

I, T. Jakob Sebrow, do hereby declare and state as follows:

1. I am a Trial Attorney with the Antitrust Division of the United States Department of Justice (“Antitrust Division”). I am admitted to practice in the State of New York and in this District.

2. This Declaration is being submitted in support of the United States of America’s Motion to Terminate a 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 research conducted by other attorneys and staff in the Antitrust Division.

4. In early 2018, the Antitrust Division 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. As part of this process, the Antitrust Division researched the corporate status of entities subject to these older, legacy antitrust judgments.

5. For the judgment in this case, librarians of the Antitrust Division were instructed to research and confirm the corporate status of the corporate defendants. The librarians searched the following public sources to determine corporate status.

- a. A search of the New York Department of State Division of Corporations database. If the final judgment (as submitted to this Court) or other web search (see below) suggested incorporation information for a defendant in another state, the librarians also checked that state for corporate status.
- b. A search of the Encyclopedia of Associations and IRS Tax Exempt Organization Search, where such organizations or associations were subject to a judgment.
- c. A search of web-based resources for the existence (or succession) of the entity. In addition to general web-based searches, the search included research in one or more of the following resources:
 - i. Lexis and/or Westlaw (news, company, and/or litigation search);
 - ii. historical newspapers from Newsbank, ProQuest, and/or Newspapers.com; and
 - iii. historical company directories held by the Antitrust Division Library.

6. Based on the information provided to me by the librarians, I believe that Defendant New York Produce Exchange no longer exists. I also believe that Defendant E.W. Saybolt & Co., Inc. (“Saybolt”) is still in business as Saybolt LP, a subsidiary of Core Laboratories. I contacted Mark Elvig, Senior Vice President and General Counsel of Core Laboratories, regarding this judgment. On November 30, 2020, Mr. Elvig informed me that

Core Laboratories acquired Saybolt's business in 1997, and that Core Laboratories does not object to the termination of the above-captioned judgment.

7. I also believe, based on the information provided to me by the librarians and by Heather B. Bush, Vice President, General Counsel and Compliance Officer of Bureau Veritas Holdings, Inc. ("Bureau Veritas"), that Defendant Chas. Martin & Co. was acquired by Inspectorate SA, a Swiss company, and that Inspectorate SA was subsequently acquired by Bureau Veritas. On December 3, 2020, I contacted Ms. Bush, who confirmed that, in or around 1987, a company named Chas Martin, Inc. was acquired by Inspectorate SA. Ms. Bush further stated that she had no additional information regarding the corporate status of either Chas Martin, Inc. or Defendant Chas. Martin & Co., and that in any event Bureau Veritas has no objection to this motion. The librarians of the Antitrust Division could find no additional information regarding the current corporate status of Defendant Chas. Martin & Co. Accordingly, I believe that Defendant Chas. Martin & Co. either no longer exists or is no longer active.

8. Having reviewed this Declaration, I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: December 21, 2020
New York, New York

/s/ T. Jakob Sebrow
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