

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

GRAY TELEVISION, INC., and
SCHURZ COMMUNICATIONS, INC.,

Defendants.

CASE NO. Case 1:15-cv-02232-RC

JUDGE: Rudolph Contreras

FILED: December 22, 2015

**CERTIFICATE OF COMPLIANCE WITH PROVISIONS
OF THE ANTITRUST PROCEDURES AND PENALTIES ACT**

Plaintiff United States of America, by the undersigned attorney, hereby certifies that, in compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), the following procedures have been followed in preparation for the entry of the final judgment in the above-captioned matter herein:

1. The Complaint, proposed Final Judgment, and Hold Separate Stipulation and Order (“Hold Separate), by which the parties have agreed to the Court’s entry of the Final Judgment following compliance with the APPA, were filed with the Court on December 22, 2015. The United States also filed its Competitive Impact Statement (“CIS”) with the Court on December 22, 2015.
2. Pursuant to 15 U.S.C. § 16(b), the Hold Separate, proposed Final Judgment, and CIS were published in the *Federal Register* on December 29, 2015, *see* 80 Fed. Reg. 81,356 (2015).

3. Pursuant to 15 U.S.C. § 16(b), a summary of the terms of the proposed Final Judgment was published in the following general circulation newspapers: the *Washington Post*, in the District of Columbia, for seven days, beginning on December 24, 2015 through December 30, 2015; the *Wichita Eagle*, in Wichita, Kansas, beginning on December 24, 2015 through December 30, 2015; and the *South Bend Tribune*, in South Bend, Indiana, beginning on December 24, 2015 through December 31, 2015.
4. Pursuant to 15 U.S.C. § 16(b), copies of the Hold Separate, proposed Final Judgment, and CIS were furnished to all persons requesting them and made available on the Antitrust Division's Internet site.
5. As noted in the CIS, there were no determinative materials or documents within the meaning of 15 U.S.C. § 16(b) that the United States considered in formulating the proposed Final Judgment, so none were furnished to any person pursuant to 15 U.S.C. § 16(b) or listed pursuant to 15 U.S.C. § 16(c).
6. As required by 15 U.S.C. § 16(g), Gray and Schurz, on January 4, 2016, filed with the Court their respective descriptions of written or oral communications by or on behalf of the defendants, or any other person, with any officer or employee of the United States concerning the proposed Final Judgment.
7. The sixty-day comment period prescribed by 15 U.S.C. § 16(b) and (d) for the receipt and consideration of written comments, during which the proposed Final Judgment could not be entered, commenced on December 31, 2015, and ended on February 29, 2016. During that period, the United States did not receive any comments on the proposed settlement.

8. The parties have now satisfied all the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), as a condition for entering the proposed Final Judgment, and it is now appropriate for the Court to make the necessary public interest determination required by 15 U.S.C. § 16(e) and to enter the proposed Final Judgment.

Dated: March 1, 2016

Respectfully submitted,

/s/ Mark A. Merva

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