

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,	)	
	)	
	)	
	)	
Plaintiff,	)	
	)	Civil Action No.
v.	)	Filed June 25, 1996
	)	
AMERICAN NATIONAL CAN CO.,	)	
	)	
	)	
and	)	
	)	
KMK MASCHINEN AG,	)	
	)	
	)	
Defendant.	)	

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**STIPULATION**

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. The Court has jurisdiction over the subject matter of this action and over each of the parties hereto for purposes of this action, and venue of this action is proper in the District of Columbia;
2. The parties consent that a Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act (15 U.S.C. § 16(b)-(h)), and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any

time before the entry of the proposed Final Judgment by serving notice thereof on defendant and by filing that notice with the Court;

3. Each defendant agrees to be bound by the provisions of the proposed Final Judgment pending its approval by the Court; and

4. In the event plaintiff withdraws its consent or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatsoever, and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

DATED: June 23, 1996

FOR PLAINTIFF:

\_\_\_\_\_/s/\_\_\_\_\_  
Anne K. Bingaman  
Assistant Attorney General

\_\_\_\_\_/s/\_\_\_\_\_  
Thomas H. Liddle

\_\_\_\_\_/s/\_\_\_\_\_  
Joel I. Klein  
Deputy Assistant Attorney General

\_\_\_\_\_/s/\_\_\_\_\_  
Scott A. Scheele  
DC Bar No. 429061  
Attorneys  
Antitrust Division  
U.S. Department of  
Justice  
Suite 300  
Liberty Place Building  
325 7th Street, N.W.  
Washington, DC 20530

\_\_\_\_\_/s/\_\_\_\_\_  
Rebecca P. Dick  
Deputy Director of Operations

\_\_\_\_\_/s/\_\_\_\_\_  
Mary Jean Moltenbrey  
Chief, Civil Task Force

\_\_\_\_\_/s/\_\_\_\_\_  
Robert J. Zastrow  
Assistant Chief  
Civil Task Force

FOR DEFENDANT KMK MASCHINEN AG:

Wilmer, Cutler & Pickering

/s/\_\_\_\_\_  
Rajiv P. Santwan  
Vice President  
KMK Maschinen AG

By:\_\_\_\_\_/s/\_\_\_\_\_  
C. Loring Jetton, Jr.  
A Member of the Firm

FOR DEFENDANT AMERICAN NATIONAL  
CAN CO.:

McDermott, Will & Emery

By:\_\_\_\_\_/s/\_\_\_\_\_  
David Marx, Jr.  
A Member Of the Firm