

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

COOKSON PLC,
COOKSON AMERICA INC.,
FOSECO PLC, and
FOSECO METALLURGICAL INC.,

Defendants.

CASE NO.: 1:2008CV00389

JUDGE: Hon. R.M. Urbina

DECK TYPE: Antitrust

DATE STAMP:

**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 final judgment in the above-captioned matter herein:

1. Plaintiff and defendants have stipulated to the entry of the proposed Final Judgment in a Hold Separate Stipulation and Order ("HSSO") filed with the Court on March 4, 2008.
2. The proposed Final Judgment was filed with the Court on March 4, 2008.
3. The Competitive Impact Statement was filed with the Court on March 4, 2008.
4. The proposed Final Judgment and Competitive Impact Statement were published in the *Federal Register* on March 18, 2008. *United States v. Cookson Group plc, et al*, 73 Fed. Reg. 14489, 2008 WL 706427.
5. A summary of the terms of the proposed Final Judgment was published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, for seven days

beginning on April 4, 2008 and ending on April 10, 2008.

6. Copies of the HSSO, proposed Final Judgment, and Competitive Impact Statement were furnished to all persons requesting them and made available on the Antitrust Division's Internet site.

7. Defendants Cookson Group plc and Cookson America, Inc., on March 14, 2008, and defendants Foseco plc and Foseco Metallurgic Inc., on March 21, 2008, filed with the Court a description of written or oral communications by or on behalf of the defendant, or any other person, with any officer or employee of the United States concerning the proposed Final Judgment, as required by 15 U.S.C. § 16(g).

8. 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, ended on May 17, 2008.

9. The United States did not receive any comments on the proposed Final Judgment.

10. The parties have 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: May 22, 2008

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Leslie D. Peritz", is written over a horizontal line.

Leslie D. Peritz

PA Bar No. 87539

United States Department of Justice

Antitrust Division

Litigation II Section

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