

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, et al.

Plaintiffs,

v.

FIRST DATA CORPORATION and CONCORD
EFS, INC.,

Defendants.

Civil Action No. 1:03CV02169 (RMC)

Filed: October 23, 2003

**TUNNEY ACT REPORT AND CERTIFICATION
OF COMPLIANCE WITH TUNNEY ACT REQUIREMENTS
ON BEHALF OF DEFENDANT CONCORD EFS, INC.**

Pursuant to Section 2(g) of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(g) (the "Tunney Act"), Defendant, Concord EFS, Inc. ("Concord") hereby certifies that to the best of its knowledge and belief (1) there were no written or oral communications by or on behalf of Concord with any officer or employee of the United States concerning or relevant to the proposed Final Judgment filed in this action on December 15, 2003, except for communications solely between counsel for Concord with employees of the Department of Justice which are excluded from the reporting requirements of § 16(g) of the Tunney Act, and (2) Concord has fully complied with the requirements of Section 2(g) of the Tunney Act.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct.

Executed on December 23, 2003.

CONCORD EFS, INC.,

/s/

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James H. Mutchnik, *pro hac vice*

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CERTIFICATE OF SERVICE

I, Kenneth J. Sturek, hereby certify that on this 23rd day of December, 2003, I caused a true and correct copy of the foregoing:

TUNNEY ACT REPORT AND CERTIFICATION
OF COMPLIANCE WITH TUNNEY ACT REQUIREMENTS
ON BEHALF OF DEFENDANT CONCORD EFS, INC.

to be served in PDF format via e-mail, on the following persons:

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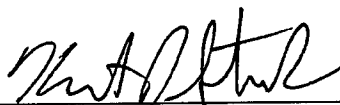
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