

# HOWREY & SIMON

Attorneys at Law  
1299 Pennsylvania Ave., N.W.  
Washington, D.C.  
20004-2402  
(202) 783-0800  
FAX (202) 383-0610

February 12, 1997

**W. Neil Eggleston**  
(202) 383-7433

## VIA HAND DELIVERY

Steven Semeraro, Esq.  
U.S. Department of Justice  
Antitrust Division/Civil Task Force  
Liberty Place Building, Suite 300  
325 Seventh Street, N.W.  
Washington, D.C. 20004

CIVIL TASK FORCE

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DEPT OF JUSTICE  
ANTITRUST DIVISION  
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Re: Civil Investigative Demand No. 15379 (First USA, Inc.)

Dear Mr. Semeraro:

This letter responds to your December 13, 1996 letter. You have expanded the scope of the U.S. Department of Justice's ("DOJ") Civil Investigative Demand No. 15379 ("CID") to First USA, Inc. ("First USA") to include two new "potential sources" that you believe are likely to contain relevant information. You have asked First USA to identify: (1) "all current and former officers and employees of [First USA] who serve or have served on a Visa or MasterCard committee at any time between January 1, 1990, and the present"; and (2) "all consultants hired by [First USA] for a purpose related to issuing cards and/or competition among card issuers and networks at any time between January 1, 1990, and the present." You also want First USA to re-search certain areas for documents relating to consultants' work. You explained that your two reasons for this expansion are that you "simply did not understand the prevalence of committee membership and outside consultant work."

First USA is willing to accommodate DOJ in this expansion of the CID. Enclosed is a list of current and former officers and employees who serve or have served on MasterCard or Visa committees during the designated time period. Please refer to my October 16, 1996 letter to Mr. Steger which contains a list of individuals whose files DOJ and First USA agreed would be searched. These individuals' offices were searched for responsive documents, including consultants' reports and studies. We have produced those responsive documents. If, after examining the enclosed list, you believe that any of the individuals whose files were not searched may be in possession of responsive documents, please notify me.

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DOJC-007717

I also enclose a list of the outside consultants that First USA has engaged to examine issues relating to card issuance and/or competition among card issuers and networks.

If you have any questions, please call me.

Very truly yours,



W. Neil Eggleston

cc: Jeffrey I. Steger, Esq.  
Clinton W. Walker, Esq.  
Tracey Conley, Esq.

## MC/VISA COMMITTEES

<u>Individual</u>	<u>Committee</u>	<u>Date(s)</u>
William Wallace	Visa Technology Task Force Committee	9/1/96-present
Richard Vague	Visa International Card Products Committee MasterCard U.S. Region Business Committee Visa Marketing Committee	1995 - present 1995 - present until 1995
George Hubley	MasterCard Profitability Steering Committee	1990 - 94
Terence Chu	MasterCard/Visa Lawyers Advisory Committee	6/91 - 3/96
Joanne Sundheim	MasterCard Visa Lawyers Advisory Committee MasterCard/Visa Bankruptcy Strategy Council	7/96 - present 1/97 - present
Jim Stewart	Visa Marketing Advisory Committee MasterCard International Risk Committee	1995 - present 1990 - 1993
Greg Powalski	Visa Operations (?) no longer here, no records, simply reflects Terry Chu's recollection	?
Mike Duffy FUSA Paymentech	Visa Technology Task Force Committee	9/96 - present
Rick Scully	Visa USA Risk Management Committee Visa International Risk Management Committee MasterCard International Security Committee	1991 - 1996 1993 - 1996 1995 - 1996
Gary Marino	MasterCard USA Risk Committee Visa USA Risk Committee	1996 - present 1996 - present
Carol Knight	MasterCard Marketing Committee	1994 - present
Jeff Walters	Visa Research Advisors Committee	3/96 - present
Karen Bernstein	Visa Research Advisors Committee	1994 - 3/96
Clint Walker	MasterCard/Visa Bankruptcy Strategic Council	1/97 - present
Elena Anderson	Merchant Bank Services Board Visa Acquiring Committee	1995 1996
Jack Antonini	MasterCard International Board of Directors MasterCard International U.S. Region Board MasterCard International Audit Committee MasterCard International Executive Committee	1991 to 1995 1991 to 1995 1992 to 1995 1992 to 1995
Jim Baumgartner	MasterCard Quality Committee MasterCard Acquirer Committee Visa Commercial Card Committee VisaNet Board of Directors	1993 to 1994 1994 1996 1993 to 1994

<u>Individual</u>	<u>Committee</u>	<u>Date(s)</u>
Susan Cerpanya	MasterCard Acquirer Committee	1995 to present
Mary Dees	Visa Commercial Products Advisory Committee MasterCard U.S. Commercial Product Advisory Committee Global Product Advisory Committee	1995 and 1996 1996 to present 1996 to present
Mike Duffy	Visa Technology Task Force	1996
Ray McArdle	Visa International Ad Hoc Electronic Commerce Working Group	1995 and 1996
Pam Patsley	VisaNet International VisaNet U.S.	1992 or 1993 to present 1992 or 1993 to present
Gary Staub	Visa Advisory Council Visa POS Users Council MasterCard Quality Marketing Committee	1990 to 1992 1990 to 1992 1992

**FIRST USA, INC.  
OUTSIDE CONSULTANTS**

1. Anderson Consulting
2. Bain & Company
3. Mitchell Madison

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