

DOJ IMPLEMENTS INTERIM HSR FILING PROCEDURES

In light of recent events and the impact they have had on both government facilities and mail service, the Antitrust Division, U.S. Department of Justice, has chosen to implement interim filing procedures with respect to premerger notification filings submitted pursuant to the Hart-Scott-Rodino Antitrust Improvements Act of 1976, as amended (the “HSR Act”). Until further notice, the Antitrust Division will not accept filings through the mail, via overnight couriers, or from third-party delivery services. It will only accept filings directly from filing law firms or corporate counsel. Moreover, among other procedural changes, the law firm or corporate counsel must contact the Antitrust Division’s Premerger Office prior to submission, and provide the identity of the employee making delivery as well as the estimated time of delivery and contents of the submission. These interim procedures do not affect submissions to the Federal Trade Commission.

For your convenience, the entire text of the Department of Justice’s release, located online at www.usdoj.gov/atr/9512a.htm, is attached.

If you have any questions or require assistance with any matter related to the HSR Act, please contact either Steven J. Gartner ((212) 728-8222 or sgartner@willkie.com) or Jonathan J. Konoff ((212) 728-8627 or jkonoff@willkie.com).

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November 15, 2001

**INTERIM PROCEDURES
RECEIPT OF HART-SCOTT-RODINO PREMERGER FILINGS
ANTITRUST DIVISION, U.S. DEPARTMENT OF JUSTICE**

Consistent with current Department of Justice security procedures, the Antitrust Division has established an interim process governing the receipt of Hart-Scott-Rodino Premerger Filings. This process will remain in place until further notice and is outlined below. Questions or concerns should be directed to Elaine Gibbs, Chief, Premerger Unit, on 202-514-2558 or via email at Elaine.Gibbs@usdoj.gov. HSR deliveries continue to be received by the Division's Premerger Unit, Patrick Henry Building, 601 "D" Street, N.W., Room 10-013, Washington, D.C.

Filings will only be accepted as follows:

- Filings will ONLY be accepted directly from filing law firms or in-house corporate counsel, and deliveries must be made in person by law firm or corporate counsel staff. Deliveries will NOT be accepted if they are delivered by third-party delivery services or contract employees. Deliveries MUST be made by law firm or corporate counsel employees only.
- Prior to delivery, the law firm or corporate counsel office must call the Division's Premerger Office in Room 10-013, PHB. Only the following contacts will be authorized to receive HSR deliveries: Elaine Gibbs 514-2558, Erin Hogarty 514-2558, or Mary Uhlfelder 514-2558. An estimated delivery time and the name of the individual from the firm or company who will be making the delivery must be provided along with a description of the items to be delivered, including the number of envelopes, packages or boxes.
- Premerger Office employees must meet the firm or company employee delivering the packages on the first floor of the Patrick Henry Building. Premerger staff will confirm the identity of the delivery person and the packages being delivered. (All individuals delivering materials must present a photo ID and complete a short ATR form outlining the materials being delivered.) Packages and envelopes to be submitted must have been packed at the firm or corporate counsel office delivering the filing, using materials from the firm. No package will be accepted if submitted in packing of a third-party vendor (e.g., Federal Express).
- Incoming packages and law firm/corporate counsel delivery staff will then be cleared into the Patrick Henry Building through the existing metal detector and visitor identification process and delivery made to the Division's Premerger Office.
- No deviations from this policy will be allowed.

The Division apologizes for the inconvenience caused by its recent inability to accept packages or mail of any type and recognizes the burden imposed upon filing parties by this interim policy. Concurrent with the establishment of new mail receipt protocols by the Department of Justice,

the Antitrust Division will modify its procedures governing the receipt of HSR filings and other deliveries. We appreciate your cooperation and understanding during this period.