

EXHIBIT 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

,

Plaintiff,

v.

RICHARD D. FAIRBANK

Defendant.

Civil Action No. 1:21-cv-02325-RC

**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) (“APPA”), the following procedures have been followed in preparation for the entry of the Final Judgment in this matter:

1. The Complaint, Competitive Impact Statement, proposed Final Judgment, and Stipulation were filed with the Court on September 2, 2021. The parties have agreed to the Court’s entry of the Final Judgment following compliance with the APPA.
2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and Competitive Impact Statement were published in the *Federal Register* on September 17, 2021 (*see* 86 Fed. Reg. 51918-23).
3. Pursuant to 15 U.S.C. § 16(b), copies of the proposed Final Judgment and Competitive Impact Statement were furnished to all persons requesting them and made available

on the Department of Justice, Antitrust Division's internet site, as were the Complaint and Stipulation.

4. Pursuant to 15 U.S.C. § 16(c), 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 over a period of two weeks beginning on September 13, 2021, and ending on September 22, 2021.

5. As noted in the Competitive Impact Statement, there were no determinative materials or documents within the meaning of 15 U.S.C. § 16(b) that were considered by the United States in formulating the proposed Final Judgment, so none was furnished to any person pursuant to 15 U.S.C. § 16(b) or listed pursuant to 15 U.S.C. § 16(c).

6. As required by 15 U.S.C. § 16(g), on September 13, 2021, Defendant filed with the Court a description of written or oral communications by or on behalf of Defendant, or any other person, with any officer or employee of the United States concerning the proposed Final Judgment.

7. 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 November 22, 2021. The United States did not receive any comments on the proposed Final Judgment.

8. The parties have satisfied all the requirements of the APPA that were conditions for entering the proposed Final Judgment. The Court may now enter the Final Judgment if the Court determines that, pursuant to 15 U.S.C. § 16(e), entry of the Final Judgment is in the public interest.

Dated: December 15, 2021

Respectfully Submitted,

/s/ Kenneth A. Libby
Kenneth A. Libby
Special Attorney