

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright
Terrell McSweeny**

In the Matter of)
)
)

Visant Corporation,)
a corporation,)

Jostens, Inc.,)
a corporation,)

and)
)

American Achievement Corporation,)
a corporation.)

Docket No. 9362

PUBLIC

ORDER DISMISSING COMPLAINT

On April 17, 2014, the Federal Trade Commission issued the Administrative Complaint in this matter, having reason to believe that Respondents Visant Corporation (“Visant”), Jostens, Inc. (“Jostens”), and American Achievement Corporation (“AAC”) had executed a Stock Purchase Agreement, in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, which if consummated would violate Section 7 of the Clayton Act, 15 U.S.C. § 18. Complaint Counsel and Respondents have now filed a Joint Motion to Dismiss Complaint, which states that on April 17, 2014, Respondents Visant Corporation and Jostens, Inc. terminated the Stock Purchase Agreement between themselves and American Achievement Corporation.¹

The Commission has determined to dismiss the Administrative Complaint without prejudice, as the most important elements of the relief set out in the Notice of Contemplated Relief in the Administrative Complaint have been accomplished without the need for further administrative litigation.² In particular, Respondents have announced that they have abandoned

¹ See Joint Motion To Dismiss Complaint (Apr. 25, 2014), available on the Commission Website at <http://www.ftc.gov/system/files/documents/cases/140425visantmntodismiss.pdf>, citing Visant Corporation, Termination of a Material Definitive Agreement (Form 8-K) (Apr. 17, 2014).

² See, e.g., *In the Matter of Integrated Device Technology, et al.*, Docket No. 9354, Order Dismissing Complaint (Jan. 15, 2013), at <http://www.ftc.gov/sites/default/files/documents/cases/2013/01/130115idtcmpmt.pdf>; *In the Matter of Reading Health System, et al.*, Docket No. 9353, Order Dismissing Complaint (Dec. 7, 2012), at <http://www.ftc.gov/sites/default/files/documents/cases/2012/12/121207readingsircmpt.pdf>; *In the Matter of OSF Healthcare System, et al.*, Docket No. 9349, Order Dismissing Complaint (Apr. 13, 2012), at

the proposed acquisition, and have terminated the Stock Purchase Agreement they had previously executed for the proposed transaction.

For the foregoing reasons, the Commission has determined that the public interest warrants dismissal of the Administrative Complaint in this matter. The Commission has determined to do so without prejudice, however, because it is not reaching a decision on the merits. Accordingly,

IT IS ORDERED THAT the Administrative Complaint in this matter be, and it hereby is, dismissed without prejudice.

By the Commission.

Donald S. Clark
Secretary

SEAL:
ISSUED: May 7, 2014

<http://www.ftc.gov/os/adjpro/d9349/120413rockfordorder.pdf>; *In the Matter of Omnicare, Inc.*, Docket No. 9352, Order Dismissing Complaint (Feb. 22, 2012), at <http://www.ftc.gov/os/adjpro/d9352/120223omnicareorder.pdf>; *In the Matter of Thoratec Corporation and HeartWare International, Inc.*, Docket No. 9339, Order Dismissing Complaint (Aug. 11, 2009), at <http://www.ftc.gov/os/adjpro/d9339/090811thoatecorder.pdf>; *In the Matter of CSL Limited, et al.*, Docket No. 9337, Order Dismissing Complaint (June 22, 2009), at <http://www.ftc.gov/os/adjpro/d9337/090622commorderdismisscomplaint.pdf>.