

Sheinberg, Samuel I.

From: [REDACTED]
Sent: Wednesday, June 26, 2019 11:29 AM
To: Walsh, Kathryn E.; Berg, Karen E.; Carson, Timothy; Sheinberg, Samuel I.; Six, Anne; Whitehead, Nora; Olson, Eric
Subject: FW: Items 5(a) and 4(c) Questions

[REDACTED]

From: Sheinberg, Samuel I. [mailto:SSHEINBERG@ftc.gov]
Sent: Wednesday, June 26, 2019 7:06 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Items 5(a) and 4(c) Questions

[REDACTED]

Yes, you can allocate the revenue and please provide and endnote to explain. You are correct that this is still our position with respect to text messages.

Sam Sheinberg
Attorney
Premerger Notification Office

[REDACTED]

From: [REDACTED]
Sent: Tuesday, June 25, 2019 4:48:17 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: [REDACTED]
Subject: Items 5(a) and 4(c) Questions

Hi Everyone,

We have another couple quick HSR questions:

1. Our client breaks down revenue by source in its accounting software, but a small amount of its revenue was not classified when entered and the company does not have a mechanism for tracking down which NAICS code it would be associated with. This revenue would not be derived within a new/unique NAICS code, but rather would be allocated amongst the existing codes that are being reported. Should we allocate this revenue proportionately with the existing codes or take another approach? We would of course provide an endnote explaining whichever methodology you would recommend.
2. Can you confirm that the attached guidance (that filers need not provide text message correspondence) is current?

Thank you again for the assistance.

[Redacted]

[Redacted]

[Redacted]

[Redacted]
