

FTC news

Federal Trade Commission *Washington, D.C. 20580*

FOR IMMEDIATE RELEASE: March 23, 1988

WICKES CO. AGREES TO SETTLE GOVERNMENT CHARGES IT VIOLATED PREMERGER NOTIFICATION REQUIREMENTS

The federal government charged in federal court today that Wickes Companies Inc. failed to comply with premerger notification requirements when it acquired stock through the investment banking firm of Bear Stearns & Co. Wickes agreed to settle the charges by paying a \$300,000 civil penalty.

The Federal Trade Commission had asked the Department of Justice to file the complaint. The complaint and settlement were filed today in the U.S. District Court for the District of Columbia.

This is the first case the government has brought concerning the use of an investment banking firm in a stock acquisition to avoid filing under the Hart-Scott-Rodino Act. In December 1986, Jeffrey Zuckerman, director of the FTC's Bureau of Competition, announced that the Commission staff was investigating several instances in which a client had arranged for an investment banking firm to purchase voting securities of a company on the client's behalf, but had failed to report the transactions in a timely manner as required by the HSR Act.

The complaint charges that Wickes acquired stock in Owens-Corning Fiberglas Corp. through Bear Stearns in an amount well beyond the dollar threshold at which it should have filed premerger notifications with the FTC and DOJ. Wickes eventually made the appropriate filings but not within the time frame established by the HSR Act.

Wickes is based in Santa Monica, Calif.

The FTC has also asked the Department of Justice to file similar complaints against Donald Trump and against Samuel, Hyman and William Belzberg, and two companies controlled by the Belzbergs, First City Financial Corp. Ltd. and Roxboro Investments (1979) Ltd.

This judgment is for settlement purposes only and does not constitute an admission by the company that it violated the law.

(More)

Copies of the complaint and judgment are available from the FTC's Public Reference Branch, Room 130, 6th St. and Pennsylvania Ave. N.W., Washington, D.C. 20580; 202-326-2222; TTY 202-326-2502.

#

MEDIA CONTACT: Susan Ticknor, Office of Public Affairs,
202-326-2181

STAFF CONTACT: Jeffrey I. Zuckerman, Bureau of Competition,
202-326-2556

(FTC File No. 861 0148)
(Civil Action No. 88-07-82)

(Wickes)