

[REDACTED]

John Sipple, Esq.
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In light of the accelerated accumulation of [REDACTED] stock in continuing violation of the HSR Act, we reiterate our request that the Commission commence an immediate investigation into the methods and devices which have been employed by [REDACTED] to acquire their holdings of [REDACTED] securities. Such an investigation cannot wait until [REDACTED] file a Schedule 13D. As the article reports, it is a common tactic for [REDACTED] to acquire a stake just under 5% so as to avoid having to disclose his holdings, intentions, or methods in a Schedule 13D. Moreover, delaying the enforcement of the HSR Act until disclosures are required under the securities laws is irreconcilable with the Statement of Basis and Purpose which accompanied the Commission's new definition of "control" under Section 801.1(b)(1)(ii) of the Premerger Rules. See pp. 3-4 of our previous letter. It is just such a delay which will enable [REDACTED] to carry out their plan to put [REDACTED] in play through violations of the HSR Act.

Sincerely,

[REDACTED]

cbv

cc: Jeffrey I. Zuckerman, Esq.
Director, Bureau of Competition

Barbara A. Clark, Esq.
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