

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEUCADIA NATIONAL CORPORATION,

Defendant.

Civil Action No. 15-1547 (RDM)

FINAL JUDGMENT

Plaintiff, the United States of America, having commenced this action by filing its complaint herein for violation of Section 7A of the Clayton Act, 15 U.S.C. § 18a, commonly known as the Hart-Scott-Rodino Antitrust Improvements Act of 1976, and Defendant, Leucadia National Corporation, having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein, and without this Final Judgment constituting any evidence against or an admission by the Defendant with respect to any such issue:

Now, therefore, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein, and upon the consent of the parties hereto, it is hereby Ordered, Adjudged, and Decreed as follows:

I.

The Court has jurisdiction over the subject matter of this action and of the Plaintiff and the Defendant. The Complaint states a claim upon which relief can be granted against the Defendant under Section 7A of the Clayton Act, 15 U.S.C. § 18a.

II.

Judgment is hereby entered in this matter in favor of Plaintiff United States of America and against Defendant. Pursuant to Section 7A(g)(1) of the Clayton Act, 15 U.S.C. § 18a(g)(1),

the Debt Collection Improvement Act of 1996, Pub. L. 104-134 § 31001(s) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461), Federal Trade Commission Rule 1.98, 16 C.F.R. § 1.98, 61 Fed. Reg. 54549 (Oct. 21, 1996), and 74 Fed. Reg. 857 (Jan. 9, 2009), Defendant Leucadia National Corporation is hereby ordered to pay a civil penalty in the amount of \$240,000. Payment of this civil penalty shall be made by wire transfer of funds or cashier's check. If the payment is made by wire transfer, Defendant shall contact Janie Ingalls of the Antitrust Division's Antitrust Documents Group at (202) 514-2481 for instructions before making the transfer. If the payment is made by cashier's check, the check shall be made payable to the United States Department of Justice and delivered to:

Janie Ingalls
United States Department of Justice
Antitrust Division, Antitrust Documents Group
450 5th Street, NW
Suite 1024
Washington, D.C. 20530

Defendant shall pay the full amount of the civil penalty within 30 days of entry of this Final Judgment. In the event of a default or delay in payment, interest at the rate of 18% per annum shall accrue thereon from the date of the default or delay to the date of payment.

III.

Each party shall bear its own costs of this action.

IV.

The Court finds that the United States has complied with the procedures for submission of a proposed consent judgment pursuant to the Antitrust Procedures and Penalties Act, also known as the Tunney Act. *See* 15 U.S.C. § 16(b)–(d).

The Court further finds that entry of this Final Judgment is in the public interest. *See id.* § 16(e). The judgment will deter Leucadia National Corporation and others from violating the

premerger notification provision of the Hart-Scott-Rodino Act set forth in Section 7A(g)(1) of the Clayton Act, 15 U.S.C. § 18a(g)(1). The relief hereby ordered will benefit competition because compliance with the Hart-Scott-Rodino premerger notification requirement facilitates the detection and prevention of antitrust violations before they occur. The Court further finds that the entry of such judgment will have a positive competitive impact for the reasons explained in the competitive-impact statement published by the United States. *See United States v. Leucadia National Corporation*, Proposed Final Judgment and Competitive Impact Statement, 81 Fed. Reg. 25420-02.

SO ORDERED.

/s/ Randolph D. Moss
RANDOLPH D. MOSS
United States District Judge

Date: July 12, 2016