

From: [Gillis, Diana L.](#)
To: [REDACTED]
Cc: [REDACTED]; [Walsh, Kathryn E.](#); [Berg, Karen E.](#); [Whitehead, Nora](#); [Storm, Evan](#); [Shaffer, Kristin](#); [Carson, Timothy](#)
Subject: RE: HSR Item 5
Date: Wednesday, June 22, 2016 1:19:00 PM
Attachments: [image001.jpg](#)

The identity of the customer is irrelevant.

If shipping from the US, count in Item 5.

If shipping from a foreign location to the US, don't count in Item 5, *unless* the sale is booked by a US entity.

If shipping from a foreign location to a foreign location, don't count in Item 5, *unless* the sale is booked by a US entity.

From: [REDACTED]
Sent: Monday, June 20, 2016 4:43 PM
To: Walsh, Kathryn E.; Berg, Karen E.; Gillis, Diana L.; Whitehead, Nora
Cc: [REDACTED]
Subject: HSR Item 5

Dear all,

We had a question concerning how to account for certain revenues in Item 5 of the HSR Form for a foreign multinational shipping company. We reviewed informal interpretation 1408005 but the hypothetical addressed was limited to non-US customers. Does the PNO have a general approach for revenue derived from shipping to and from the US when a shipping company contracts with a US customer?

Thank you very much.

Best regards,

[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]