

## Sheinberg, Samuel I.

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**From:** HSRHelp  
**Sent:** Wednesday, October 24, 2018 7:42 PM  
**To:** Walsh, Kathryn E.; Berg, Karen E.; Carson, Timothy; Shaffer, Kristin; Sheinberg, Samuel I.; Whitehead, Nora  
**Subject:** FW: HSR Item 4 Question

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**From:** Shaffer, Kristin <kshaffer@ftc.gov>  
**Sent:** Wednesday, October 24, 2018 2:56 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: HSR Item 4 Question

[REDACTED]

PNO does not require parties to search for and submit texts. However, since you know you have texts with responsive 4c content, you may voluntarily produce them as described or note that they exist in a footnote.

Best regards,  
Kristin

**Kristin Shaffer**  
Attorney  
Premerger Notification Office  
Federal Trade Commission  
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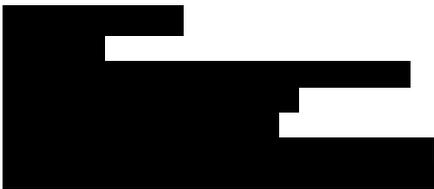
**From:** [REDACTED]  
**Sent:** Tuesday, October 23, 2018 1:00:54 PM (UTC-05:00) Eastern Time (US & Canada)  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** HSR Item 4 Question

Dear PNO Team,

We have a general question regarding the submission of text messages with Item 4 responsive content. We searched through the informal interpretations, but did not find any on point. Since text messages are generally a back and forth conversation, which can take place over weeks, months or even years, what is the appropriate amount of texts to provide when only a single text within the string contains Item 4 content?

In our present circumstance, we have screen shots of the text messages, and we would propose including all the back and forth text messages (from both parties, even if they do not contain Item 4 content) that make up the specific conversation/topic, which all takes place on the same day. Is that acceptable, or does the PNO have other guidelines that we should follow for submitting text messages?

Best regards,



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