

Sheinberg, Samuel I.

From: [REDACTED]
Sent: Wednesday, April 17, 2019 1:26 PM
To: Walsh, Kathryn E.; Berg, Karen E.; Biagioli, Kimberley; Sheinberg, Samuel I.; Six, Anne; Whitehead, Nora
Subject: FW: Question re Signatory on HSR Filing

From: Carson, Timothy
Sent: Wednesday, April 17, 2019 1:25:59 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Question re Signatory on HSR Filing

Yes, but the affidavit should still state that the UPE has the good faith intent to consummate the transaction.

From: [REDACTED]
Sent: Wednesday, April 17, 2019 1:16 PM
To: [REDACTED]
Subject: Question re Signatory on HSR Filing

Hello:

Can an officer or director of the acquiring entity (not the UPE) sign the certification and affidavit if the UPE authorizes that person to sign? I'm having trouble reading the handwriting on the below interpretation ("or a Sub" vs "on a Sub"):
https://www.ftc.gov/sites/default/files/documents/informal_interpretations/0408010-informal-interpretation/0408010.pdf

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]
