

Sheinberg, Samuel I.

From: [REDACTED]
Sent: Thursday, September 3, 2020 12:30 PM
To: Walsh, Kathryn E.; Berg, Karen E.; Carson, Timothy; Sheinberg, Samuel I.; Six, Anne; Musick, Vesselina
Subject: FW: Filing fee in 801.40 transactions

From: Whitehead, Nora
Sent: Thursday, September 3, 2020 12:29:50 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Filing fee in 801.40 transactions

Correct.

[REDACTED]

From: [REDACTED]
Sent: Thursday, August 27, 2020 11:39:34 AM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Subject: Filing fee in 801.40 transactions

Hello,

In 801.40 transactions, where two separate acquiring persons will each have to file for acquisition of the newly formed entity's voting securities, are two separate HSR filing fees required? I'd expect so since the rule carves out consolidations from the multiple fee requirement where there are multiple acquired persons, but does not carve out formations. Is that correct?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

