

## Sheinberg, Samuel I.

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**From:** [REDACTED]  
**Sent:** Monday, September 21, 2020 2:53 PM  
**To:** Walsh, Kathryn E.; Berg, Karen E.; Carson, Timothy; Sheinberg, Samuel I.; Whitehead, Nora; Musick, Vesselina  
**Subject:** FW: non-competes

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**From:** Six, Anne  
**Sent:** Monday, September 21, 2020 2:52:42 PM (UTC-05:00) Eastern Time (US & Canada)  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: non-competes

- [REDACTED]
1. If the individual agreements have been executed, they should be provided.
  2. We prefer to see each agreement provided as a separate attachment, so 3(b)-2 through 3(b)-15 for the 14 agreements you describe.

Best,  
Anne

Anne K. Six  
Attorney  
Premerger Notification Office  
Federal Trade Commission  
202-326-2799 | [asix@ftc.gov](mailto:asix@ftc.gov)

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**From:** [REDACTED]  
**Sent:** Wednesday, September 16, 2020 1:46:22 PM (UTC-05:00) Eastern Time (US & Canada)  
**To:** [REDACTED]  
**Subject:** non-competes

Hi PNO Group. I have a question that I think I know the answer to but want to make sure. I am working on a deal where, when the definitive agreement is signed, there will also be non-competes signed by several individuals. These agreements take two forms: one document is called a non-compete and assume several people will sign individual versions so there may be 6 signed agreements. A different document has a different name but includes some

noncompetition language and assume several other people will sign individual versions so there will be let's say 8 of these documents.

Question 1: I assume you want copies of the actual signed agreements with the HSR filing and not just exemplars. Is that right?

Question 2: Are you okay if I make 3(b)-2 a group exhibit of the signed non-competes and 3(b)-3 a group exhibit of the signed agreements with the different name? Or is there a better way to provide these?

Thanks as always for your assistance.

[REDACTED]

[REDACTED]

[REDACTED]