

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION,
Washington, D.C. 20580

Plaintiff,

v.

CVS CORPORATION,
One CVS Drive
Woonsocket, RI 02895

Defendant.

Civil Action No. 98-0113

FILED

MAR 30 1998

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

JUDGMENT FOR CIVIL PENALTIES IN CONNECTION
WITH THE ORDER IN F.T.C. DOCKET NO. C-3762
AND WITH THE RELATED ASSET MAINTENANCE AGREEMENT

Plaintiff, Federal Trade Commission, having commenced this action by filing its Complaint herein, and the defendant, CVS Corporation, having consented to the entry of this "Judgment for Civil Penalties in Connection with the Order in F.T.C. Docket No. C-3762 and with the Related Asset Maintenance Agreement" (hereinafter "Judgment") without trial or adjudication of any issue of fact or law herein and without this Judgment constituting any evidence against or an admission by any party with respect to any allegation contained in the Complaint:

NOW, THEREFORE, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein, and upon the consent of the parties hereto, it is hereby

ORDERED, ADJUDGED, AND DECREED as follows:

I.

This Court has jurisdiction of the subject matter herein and of each of the parties consenting hereto. The Complaint states a claim upon which relief may be granted against the defendant under Sections 5(l) and 16(a)(1) of the Federal Trade Commission Act, 15 U.S.C. §§ 45(l) and 56(a)(1).

II.

Judgment is hereby entered in favor of the plaintiff, Federal Trade Commission, and against the defendant, CVS Corporation, and defendant shall pay to the United States, pursuant to Section 5(l) of the Federal Trade Commission Act, 15 U.S.C. § 45(l), a civil penalty in the amount of six hundred thousand United States dollars (\$600,000). Payment shall be made in the following manner:

- A. The defendants shall make a payment of \$600,000 within thirty (30) days of the date of entry of this Judgment;
- B. The payment specified above shall be made by certified check payable to the Federal Trade Commission. Delivery shall be made to Diane L. Reinertson, Division of Budget and Finance, Federal Trade Commission, 6th & Pennsylvania Ave, N.W., Washington, D.C. 20580;
- C. In the event of a default in payment, interest at the rate of eighteen (18) percent per annum shall accrue thereon from the date of default to the date of payment.

III.

This Judgment shall not be construed to preclude the Federal Trade Commission or the Attorney General from bringing an action against the defendants for any violation(s) of the Order in F.T.C. Docket No. C-3762 ("Order") or the Asset Maintenance Agreement, attached to the Order and made a part thereof, other than an action for civil penalties for Defendant's failure to maintain the "Virginia Assets to be Divested," as defined in Paragraph I.Q. of the Order, as required by Paragraphs IV.A and IV.B. of the Order and by the Asset Maintenance Agreement.

IV.

Each party shall bear its own costs of the within action.

V.

Entry of this Judgment is in the public interest.

Dated, March 30, 1995, District of Columbia

G. L. Kessler
United States District Judge