

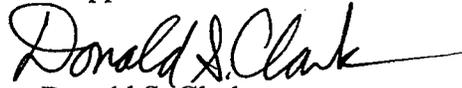
UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



\_\_\_\_\_)  
In the Matter of )  
 )  
Union Oil Company of California, ) Docket No. 9305  
a corporation )  
\_\_\_\_\_)

**Notice of Placement of Document On the Public Record**

The attached document has been placed on the public record of the Commission in accordance with Rule 4.9(b) of the Commission Rules of Practice, 16 C.F.R. § 4.9(b)(2004). This action has been taken as a matter of discretion, in accordance with the procedures detailed in Rule 4.7(c) but without any determination as to whether or not the communication it describes constitutes a communication to which Rule 4.7 applies.

  
Donald S. Clark  
Secretary



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

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May 12, 2004

Office of the  
General Counsel

**MEMORANDUM**

**TO:** Donald S. Clark  
Secretary

**FROM:** William E. Cohen *wec*  
Assistant General Counsel  
for Policy Studies

**SUBJECT:** Union Oil Company of California  
Docket No. 9305

On May 5, 2004, I telephoned Emilio Varanini of the California Attorney General's office and asked if he could identify any California statutes analogous to 18 U.S.C. § 1001, which prohibits certain "materially false, fictitious, or fraudulent" statements or misrepresentations to the government. Mr. Varanini cited three statutes: (i) Cal. Penal Code § 131; (ii) Cal. Penal Code § 135; and (iii) Cal. Penal Code § 118. He stated that § 131 was very recently enacted; that § 135 dealt with concealment of evidence; and that § 118 involved perjury under oath.

Because the substance of that communication could be relevant to the captioned proceeding, and although there was no direct mention of the case, I request that you treat this memorandum in accordance with Rule 4.7(c).