

FOR RELEASE: JANUARY 11, 1995

WILLIAM FA0.00YD7c700 1.Y 11, .7c7M FA0.00YD7c700 1.Y 1000 cmY 1000 c

Farley Inc. did not file the required HSR notification until May 23, 1988. As a result, the last day of the 30-day waiting period was June 22, 1988. The act provides for a civil penalty of up to \$10,000 a day for each day that a person is in violation of the act. In the Farley case, the United States sought \$910,000 for the 91 days from March 24 through June 22, 1988.

Farley Inc. made a cash tender offer for West Point on Oct. 24, 1988 and acquired a controlling interest of more than 95 percent of the outstanding shares of West Point in 1989.

Farley claimed that Farley Inc.'s March and April 1988 purchases of West Point voting securities came within the "solely for the purpose of investment" exemption to the HSR Act. Under that exemption, a purchaser may acquire up to 10 percent of a company's st

Copies of the stipulation containing the settlement agreement, as well as other documents associated with this case, are available from the FTC's Public Reference Branch, Room 130, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580; 202-326-2222; TTY for the hearing impaired 202-326-2502.

###

MEDIA CONTACT: Bonnie Jansen, Office of Public Affairs
202-326-2161

STAFF CONTACT: Howard Morse, Bureau of Competition
202-326-6320

(FTC Matter No. 891 0036)
(Civil Action No. 92 C 1071)
(farley2)