

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,
Antitrust Division
Department of Justice
Washington, D.C. 20530,

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7127 NUMBER 1 01000010

JURISDICTION AND VENUE

1. This Complaint is filed and these proceedings are instituted under Section 7A(e)(1) of

OTHER ENTITIES

6. Medi-Span, Inc. and Medi-Span International, Inc. (collectively "Medi-Span")

9. The HSR Act requires certain acquiring persons and certain person whose voting securities or assets are acquired to file notification with the Federal Trade Commission and the Department of Justice ("federal antitrust agencies") and to observe a waiting period before

consummating certain acquisitions of voting securities or assets. 15 U.S.C. § 18a(a) and (b).

The notification and waiting period are intended to give the federal antitrust agencies prior notice

12. Pursuant to Section (d)(2) of the HSR Act, 15 U.S.C. § 18a(d)(2), Premerger

Notification Rules were promulgated to carry out the purposes of the HSR Act. 16 C.F.R. Part

Form and observe the Act's waiting period before it acquired in excess of \$15 million of the
voting securities of Medi-Span. On December 12, 1997, Defendant Heart filed a Notice of

22. On or about August 21, 2000, Defendant Hearst recertified its Notification, amending its response to Item 4(c) to include three documents that were not previously submitted and a list

1. That the Court adjudge and decree that the January 15, 1998 acquisition by Defendant Hearst of voting securities of Medi-Span was in violation of the HSR Act, 15 U.S.C. § 18a; and

that Defendant Hearst was in violation of the HSR Act each day from January 15, 1998 until at least November 22, 2000;

4. That the Court award the Plaintiff its costs of this suit.

Dated: October 11, 2001.