



The Complainant in this action alleges that D. C. Lee, II, in the 1980's, was

APPA are preparation by the United States of a "competitive impact statement" explaining the

judgment's competitive impact and its impact on the public generally as well as individuals alleging specific injury from the violation set forth in the complaint.

The procedures of the APPA are not required in this action because the Complaint seeks, and the Final Judgment provides for, only the payment of civil penalties. In our view, a consent

approved by the court on August 14, 1979, after the United States had taken the position in APPA proceedings that the civil penalties component of that judgment was not open to public

objection. See 44 Fed. Res. 41592 (L.L. 17, 1979) 3-571

of APPA procedures in this case.

For the above reasons, the United States asks the Court to enter the Final Judgment in this