

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



POLYGRAM HOLDING, INC.,
a corporation,
DECCA MUSIC GROUP LIMITED,
a corporation,
UMG RECORDINGS, INC.,
a corporation,
and
UNIVERSAL MUSIC & VIDEO
DISTRIBUTION CORP.,
a corporation

Docket No. 9298

COMPLAINT COUNSEL'S APPLICATION
FOR THE ISSUANCE OF SUBPOENAS AD TESTIFICANDUM

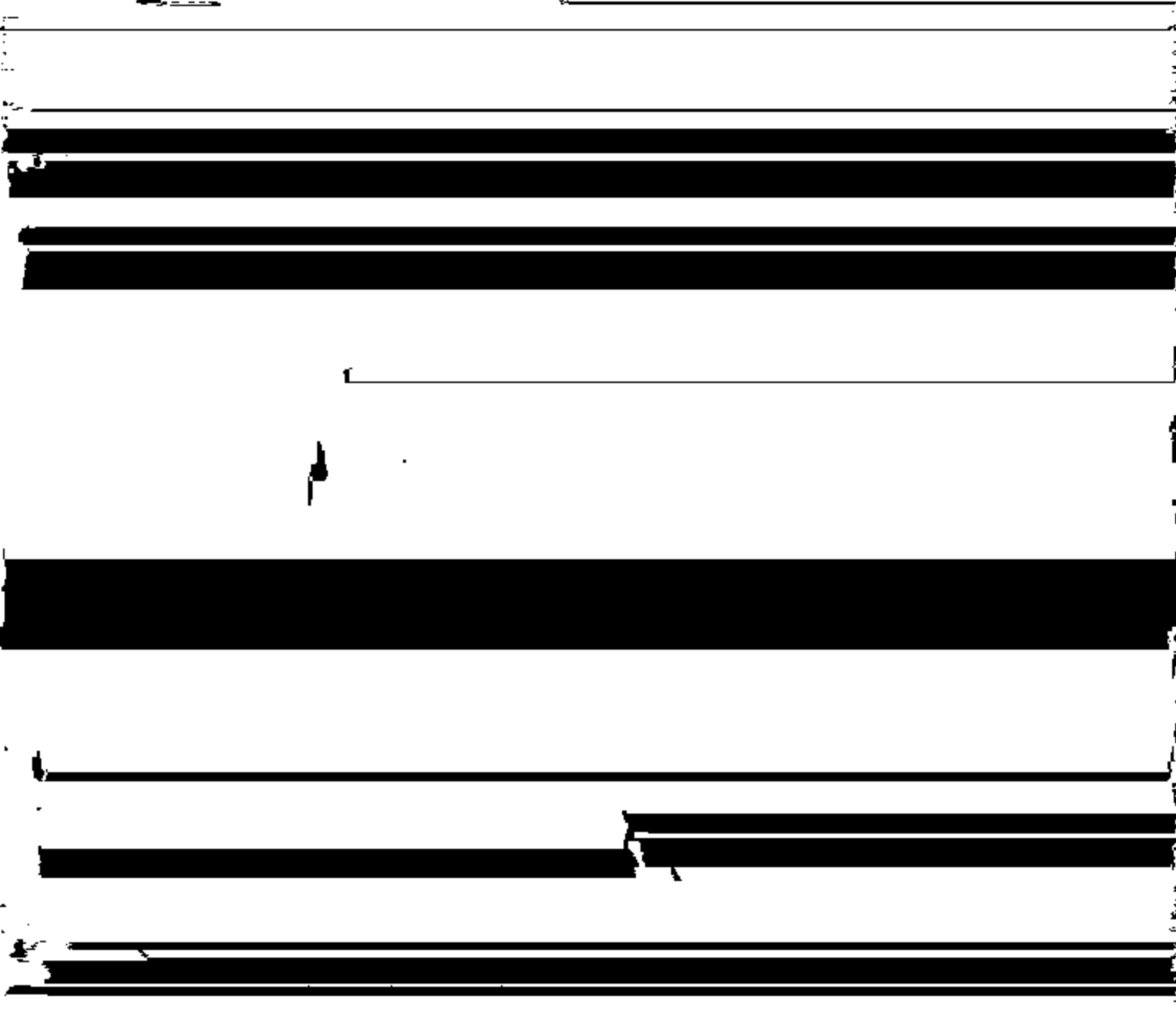
Pursuant to Rule 3.34(a)(2) of the Federal Trade Commission's Rules of Practice, complaint counsel makes this application for the issuance of three subpoenas *ad testificandum* to be issued to Mr. Anthony O'Brien, Mr. Paul Saintilan and Mr. Rand Hoffman.

Each of these individuals' testimony is reasonably relevant to complaint counsel's prosecution of this matter and thus satisfies the conditions under Rule 3.34(a)(2) for the issuance of

Rand Hoffman

During 1998, Mr. Hoffman was senior vice president of business affairs for PolyGram Holding, Inc. We expect that Mr. Hoffman will testify concerning: (i) the business of PolyGram;

(ii) the relationship between and among Warner, PolyGram, and Deutsche Grammophon, Inc.



relating to the 1998 Three Tenors album and video; (iii) the resulting Three Tenors contracts; (iv) communications between Warner and PolyGram relating to the moratorium agreement; (v) the

CERTIFICATE OF SERVICE

I, John Roberti, hereby certify that on January 28, 2002, I caused a copy of Complaint

Case No. 02-10000, to be filed with the Court and to be served on the following parties:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]