

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA
c/o Department of Justice
Washington, D.C. 20530,
Plaintiff,

v.

BIGLARI HOLDINGS, INC.
Suite 400
17802 IH 10 West
San Antonio, TX 78257

Defendant.

Civil Action No.

PLAINTIFF'S MOTION FOR ENTRY OF FINAL JUDGMENT

Plaintiff, the United States of America, having filed its Complaint in the captioned case, and having filed on this date a Stipulation and proposed Final Judgment, hereby moves this Court for entry of a Final Judgment against defendant Biglari Holdings, Inc.

STATEMENT OF POINTS AND AUTHORITIES

The Complaint in this motion alleges that the defendant violated Title II of the Hart-Scott Rodino Antitrust Improvements Act of 1976 ("HSR Act" or "Act"), Section 7A of the Clayton Act, 15 U.S.C. § 18a, which requires certain acquiring persons and certain persons whose voting securities or assets are to be acquired to file notification with the Department of Justice and the Federal Trade Commission (the antitrust enforcement agencies") and to observe a waiting period before consummating certain acquisitions of voting securities or assets. The complaint

alleges that the defendant Biglari Holdings, Inc. was in continuous violation of the HSR Act each day during the period beginning on June 8, 2011, through September 22, 2011. Under section (g)(1) of the

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

Dated: September 25, 2012

Respectfully Submitted,



CERTIFICATE OF SERVICE

I, Kenneth A. Libby, hereby certify that on September 25, 2012, I caused a copy of the foregoing Complaint,