

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Jon Leibowitz, Chairman
J. Thomas Rosb
Edith Ramirez
Julie Brill
Maureen K. Ohlhausen

In the Matter of)
)
Hertz Global Holdings, Inc.) Docket No. C-4376
a corporation)
_____)

COMPLAINT

Pursuant to the Clayton Act and the Federal Trade Commission Act, and its authority thereunder, the Federal Trade Commission ("Commission"), having reason to believe that Respondent Hertz Global Holdings, rlc. ("Hertz") and Dollar Thrifty Automotive Group, rlc. ("Dollar Thrifty"), having executed an agreement and plan of merger, which if consummated would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Sec 5 of the Federal Trade Commission Act ("FTC Act"), as amended, 15 U.S.C. § 45, and it appearing to the Commission that a proceeding in respect thereof would be in the public interest, hereby issues its Complaint, stating its charges as follows:

I. RESPONDENT

1. Respondent Hertz is a corporation existing and doing business under and by virtue of the laws of the State of Delaware, with its office and principal place of business located at 225 Brae Boulevard, Park Ridge, New Jersey 07656. Among other industries, Hertz is engaged in the car rental business.

2. Respondent is, and at all times relevant herein has been, engaged in commerce, as "commerce" is defined in Section 1 of the Clayton Act as amended, 15 U.S.C. § 12, and are companies whose business is in or affects commerce, as "commerce" is defined in Section 4 of the FTC Act, as amended, 15 U.S.C. § 44.

II. THE PROPOSED ACQUISITION

- ppp. Tampa Florida (Tampa International Airport)
- qqq. Tulsa, Oklahoma (Tulsa International Airport)
- rrr. Washington, District of Columbia (Ronald Reagan National Airport)
- sss. Washington, District of Columbia (Washington Dulles International Airport)
- ttt. West Palm Beach, Florida (Palm Beach International Airport)

IV. ENTRY CONDITIONS

6. Entry or expansion into the relevant markets described in Paragraphs 5 and 6 will not occur in a timely, likely or sufficient manner to avert the anticompetitive effects that likely will result from the Acquisition. In order to

VI. VIOLATIONS CHARGED

8. The Acquisition Agreement described in Paragraph 4 constitutes a violation of Section 5 of the FC Act, as amended, 15 U.S.C. § 45.

10. The Acquisition described in Paragraph 4, if consummated, would constitute a violation of Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Section 5 of the FTC Act, as amended, 15 U.S.C. § 45.

WHEREFORE, THE PREMISES CONSIDERED, the Federal Trade Commission on this fifteenth day of November, 2012, issues its Complaint against said Respondent.

By the Commission, Commissioner Rosch dissenting.

SEAL

Donald S. Clark
Secretary