

806.11



FAX COVER SHEET

To: Mr. Patrick Sharp  
Fax: (202) 326-2624

2000

PIENEC

Operator Ext.:



filing an HSR Notification within the next week or so relevant to an acquisition of various newspaper assets located in

from \$45,765,000 of the assets located in and will purchase the remaining properties and properties for \$54,335,000.

owns 50% of the voting stock of its subsidiary and qualifies

Mr. [redacted] is this. Do we need to override the revenue clause

receives from the subsidiary in its income statements and reports its equity investment on the balance sheet. does not

some thoughts on the matter would be greatly appreciated. I can be reached at [redacted] Thank you.

called [redacted] 2/24/00

This material may be subject to the  
confidentiality provisions of section  
7A(b) of the Clayton Act which restricts  
the disclosure of information

802.1 (d)(2)

COUNSELLORS AT LAW

VIA FACSIMILE

Michael Verna, Esquire  
Federal Trade Commission  
Procurement Notification Office

INTENDING TO USE THE EQUIPMENT, BUT  
NEVER ACTUALLY DOING SO. DOES NOT

WASHINGTON, D.C. STREET

Because the equipment is designed to be used repeatedly and has a useful life greater than one year, and the goods were acquired and held for the purpose of resale, I believe the transaction is exempt under Rule 802.1(d)(2), provided that the equipment does not constitute all of the assets of an operating unit. Your initial reaction was that the selling corporation, although a separate legal entity, is not an operating unit, but you indicated you would raise the issue with your colleagues and seek additional input.

Thank you for your attention to this question. If you require additional information, please do not

Very truly yours,

Sir,  
8/20/00  
IT WOULD BE  
AN OPERATING UNIT  
DESPITE THE FACT  
THAT IT IS OWNED  
BY A SEPARATE LEGAL  
ENTITY

TOTAL PAGE 02

THIS IS A SALE OF DURABLE USED GOODS, IN THE COURSE OF BUSINESS, IS EXEMPT UNDER 802.2(d)(2).

T. HANCOCK CONCURS

Breached Jan  
3/1/00