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As alleged in the
the required pre-acquisition
period. Fairbank is Chief
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the applicable statutory size-of-person thresholds. The Complaint seeks an adjudication that
Fairbank's acquisition of COF's securities violated the R Act and asks the Court to
award an appropriate civil penalty.

At the same time the Complaint was filed, the United States filed a stipulation,
proposed Final Judgment, and a CI describing the events giving rise to the alleged violation and
the proposed Final Judgment. The stipulation, which was agreed to by the parties, provides that
the proposed Final Judgment may be entered by the Court once the requirements of the APPA
have been met. The terms of the proposed Final Judgment are designed to deter Defendant's
future R Act violations by imposing a civil penalty of \$637,900 designed to address the
violation alleged in the Complaint and deter the Defendant and others from violating the R
Act.

Entry of the proposed Final Judgment was issued by Judge P. J. ...

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II. COMPLIANCE

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III.

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ates explained the meaning and proper application of the public interest standard under the APPA and now incorporates those portions of the CI by reference.

CONCLUSION

For the reasons set forth in this Motion and Memorandum and the CI, the Court should find that the proposed Final Judgment is in the public interest and should enter the proposed Final Judgment without further proceedings. The United States respectfully requests that the Final Judgment, attached hereto as Exhibit 2, be entered at this time.

Dated December 1, 2021

Respectfully submitted,

/s/ Kenneth A. Libby
Kenneth A. Libby
Special Attorney