STATEMENT OF THE COMMISSION

W th t C m P l S t m
M t E t R l t d C p t C m

J l 31, 2012

In 2003, th F d l T d C m ss n d th P l S t m M t
R l t d C p t C m s (P l S t m),[1] th
t g C m ss n f p
l t d t A g
p t t f th P l S t m
C m ss n
P l S t m d d p x
l t d p n

[2] A g th C m ss n

A s t d p n
t t p d l t d n
p f f p s
p p f p n
A g d f n
t d p t g p t p n
l l p l f f n
s t p p t d n
I th P l S t m
C m ss n v
y n A g n
s w d s t p n
th P l S t m
[3]

Th P l S t m f f
p t s n (1) v
[4] (2) t d n
(3) t d n
p f W th f

[1] Fd T d C m n P l S t m M t E t R l t d C p t C s , 68 Fd R g 45,820 (Aug 4, 2003) [th P l S t m].

[2] A g th P l S t m [t d n
f p p f p d t d n
t p p n
th P l S t m C m g n Id. a 4.

[3] Id. a 45,821 (t g d p
g p).

[4] Th d p n

[illegible] Co[illegible] [illegible]

As [illegible] [illegible] [5] I[illegible] [illegible] Wh[illegible] [illegible] Mo[illegible] [illegible] It [illegible] R[illegible] [illegible] We [illegible] [6] [illegible]

T[illegible] Cr[illegible] S[illegible] P[illegible] S[illegible] C[illegible] [illegible] [p]”[7] T[illegible] C[illegible] [illegible] If [illegible] Th[illegible] [illegible] It[illegible] [illegible] Com [illegible]

It [illegible] P[illegible] St [illegible] At[illegible] S[illegible] C[illegible] [illegible] [8] [illegible] FTC [illegible] [illegible] P[illegible] St[illegible] 2003.[9] A[illegible]

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[5] See, e.g., United States v. KeySpan Corp., 763 F. Supp. 2d 633, 638-42 (S.D.N.Y. 2011) ([illegible] D[illegible] S[illegible] A[illegible]); Fed. Trade Comm’n v. Mylan Laboratories, 62 F. Supp. 2d 25, 36-37 (D.D.C. 1999) ([illegible] FTC [illegible]) [illegible] We [illegible] D[illegible] [illegible] C[illegible] P[illegible] St[illegible]

[6] I[illegible] [illegible] S[illegible] 5 [illegible] FTC Act. The [illegible] C[illegible] S[illegible] 5 [illegible] C[illegible] [illegible] We [illegible] S[illegible] 5 [illegible]

[7] Policy Statement, 68 Fed. Reg. at 45,822.

[8] See, e.g., [illegible], Disgorgement as an Antitrust Remedy, 76 ANTITRUST L.J. 79 (2009).

[9] Fed. Trade Comm’n v. Perrigo Co., No. 1:04CV1397 (D.D.C. Aug. 12, 2004); Fed. Trade Comm’n v. Lundbeck, Inc., No. 08-6379, 2010 WL 3810015 (D. Minn. Aug. 31, 2010).