



**RESPONDENT**

2. Respondent Ardagh Group S.A. is a corporation organized, existing, and doing business under, and by virtue of, the laws of Luxembourg, with its executive offices and principal place of business at 56, rue Charles Martel, L-2134, Luxembourg, Luxembourg.
- 3.

effect with over 700 current employees, including salaried employees who work with the plants' furnaces and forming equipment and in other glass production, engineering, and quality assurance roles.

10. Respondent's use of Non-Compete Agreements as described herein is unfair and has the tendency or likely effect of harming competition, consumers, and workers, including by: (i) impeding the entry and expansion of rivals in the glass container industry, (ii) reducing employee mobility, and (iii) causing lower wages and salaries, reduced benefits, less favorable working conditions, and personal hardship to employees.
11. Any legitimate objectives of Respondent's conduct as alleged herein could have been achieved through significantly less restrictive means, including, for example, by entering confidentiality agreements that prohibit employees and former employees from disclosing company trade secrets and other confidential information.

**VIOLATION CHARGED**

12. The allegations in all of the paragraphs above are re-alleged and incorporated by reference