

received from interested persons pursuant to Commission Rule 2.34, 16 C.F.R. § 2.34. Now, in further conformity with the procedure described in Rule 2.34, the Commission makes the following jurisdictional findings:

1. 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.
2. Respondent Ardagh Glass Inc. is a corporation organized, existing, and doing business under, and by virtue of, the laws of Delaware, with its executive offices and principal place of business at 10194 Crosspoint Blvd #410, Indianapolis, IN 46256.

- You may seek or accept a job with any company or person – even if they compete with Ardagh.
- You may run your own business – even if it competes with Ardagh.
- You may compete with Ardagh at any time following your employment with Ardagh.
- We can still enter or enforce other agreements, such as agreements that prevent current or former employees from using or disclosing Ardagh’s confidential business information and trade secrets – for example, if the employee goes to work for someone else.”

IV. Compliance Obligations

IT IS FURTHER ORDERED that Respondents shall:

- A. No later than 30 days after the date on which this Order is issued: (1) take all steps necessary to void and nullify all existing Noncompete Agreements and notify Commission staff in writing that all existing Noncompete Agreements are

V. Compliance Reports

IT IS FURTHER ORDERED that Respondents AGI and AGPI shall file verified written reports (“Compliance Reports”) in accordance with the following:

- A. Respondents AGI and AGPI shall submit:
 - 1. Interim Compliance Reports 30 days after the date this Order is issued, and then 150 days thereafter for the first year;
 - 2. Annual Compliance Reports one year after the date this Order is issued, and annually for the next 9 years on the anniversary of that date; and
 - 3. Additional Compliance Reports from any Respondent as the Commission or its staff may request.
- B.

- B. The acquisition, merger, or consolidation of Ardagh Group S.A., Ardagh Glass Inc., or Ardagh Glass Packaging, Inc.; or
- C. Any other change in Respondents, including assignment and the creation, sale, or dissolution of subsidiaries, if such change might affect compliance obligations arising out of this Order.

VII. Access

IT IS FURTHER ORDERED that, for the purpose of determining or securing compliance with this Order, and subject to any legally recognized privilege, and upon written request and upon 5 days' notice to Respondents, that Respondents shall, without restraint or interference, permit any duly authorized representative of the Commission:

- A. Access, during business office hours of Respondents and in the presence of counsel, to all facilities and access to inspect and copy all books, ledgers, accounts, correspondence, memoranda and all other records and documents in the possession, or under the control, of Respondents related to compliance with this Order, which copying services shall be provided by Respondents at their expense; and
- B. To interview directors, officers, or employees of Respondents, who may have counsel present, regarding such matters.

VIII. Purpose

IT IS FURTHER ORDERED that the purpose of this Order is to remedy the harm to competition the Commission alleged in its Complaint and to prevent Respondents from entering into, attempting to enter into, maintaining or attempting to maintain, enforcing or attempting to enforce, or threatening to enforce a Noncompete Agreement.

IX. Term

IT IS FURTHER ORDERED that this Order shall terminate 20 years from the date it is issued.

By the Commission.

April J. Tabor
Secretary

SEAL:
ISSUED: