

802.2 (c)

Verne, B. Michael

From: [REDACTED]  
Sent: Friday, June 09, 2006 1:47 PM  
To: Verne, B. Michael  
Cc: [REDACTED]  
Subject: HSR Advice

Dear Mike - I am hoping for your advice on the following:

Would the sale of a manufacturing facility that has never been in operation (but was originally built by the acquired person for its own use,) be exempt under 802.2 (c)(2)? Thanks.



NO - 802.2(c)(2)(i) EXCLUDES  
MANUFACTURING FACILITIES THAT  
HAVE NOT YET BEGUN OPERATION.

B. Michael  
6/9/06

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