

[REDACTED]

RS

April 26, 1991

Mr. Dick Smith  
Pre-merger Notification Office  
Federal Trade Commission  
Room 303  
6th and Pennsylvania, N.W.  
Washington, D.C. 20580

APR 26 3 42 PM '91  
RECEIVED  
NOTIFICATION  
OFFICE

Dear Mr. Smith:

In our telephone conversation today, we discussed whether a transaction being contemplated by our client, [REDACTED] would be subject to the premerger notification provisions of 15 U.S.C. Sec. 18(A) or whether it is exempt under C(1). As we discussed, I am sending you written documentation regarding the transaction. The material should provide a reasonably complete description of the businesses of both the seller and the buyer, as well as the assets involved in the sale.

We believe that such a transaction would constitute the acquisition of goods or realty transferred in the ordinary course of business, but would like to discuss it with you further after you have had a chance to review the documents. I will call you on Monday, April 29 to discuss the matter.

Thank you for your assistance.

This material may be subject to the confidentiality provision of Section 18(A) of the Clayton Act which provides for a release under the Freedom of Information Act.

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4/29/91 - [REDACTED] says timber has not been cut for some 50 to 60 years. Cannot tell exactly but it is clear that timber not cut in past 5 years (and not in past 50 years). Based on [REDACTED] advice, advised that sale is covered by [REDACTED] to be "in ordinary course of business" and thus exempt under 7A(c)(1) and 802.1 FR Smith

[REDACTED]