

Sheinberg, Samuel I.

From: HSRHelp
Sent: Friday, November 3, 2023 1:41 PM
To: Berg, Karen E.; Musick, Vesselina; Shaffer, Kristin; Sheinberg, Samuel I.; Six, Anne; Whitehead, Nora; Fetterman, Michelle; Burton, June
Subject: FW: Question Regarding Referencing a Prior Filing

From: Walsh, Kathryn E. <kwalsh@ftc.gov>
Sent: Friday, November 3, 2023 1:40:32 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: HSRHelp <HSRHelp@ftc.gov>
Subject: FW: Question Regarding Referencing a Prior Filing

CONTROLLED

It is acceptable to file more than 30 days before the 5 years run and a prior transaction number in the cover letter and in Item 3(a) would be very helpful.

From: [REDACTED]
Sent: Friday, November 3, 2023 12:52:42 PM (UTC-05:00) Eastern Time (US & Canada)
To: HSRHelp <HSRHelp@ftc.gov>
Subject: Question Regarding Referencing a Prior Filing

We are preparing a filing for a client that filed ~five years ago to pass the \$500 million (as adjusted) threshold. He is still above the \$500 million (as adjusted) threshold, and intends to make additional acquisitions after the end of the 5-year window following the expiration of the waiting period for his previous filing. The client would like to not have a gap in between the filings, if possible, so we intend to file more than 30 days prior to the 5-year anniversary and wanted to confirm whether that was acceptable (or if we needed to wait until after the anniversary date). I also wanted to ask if it would be helpful or required to reference the prior filing date and transaction number in either the cover letter or in the transaction description for the new filing.

Thank you,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

