Sheinberg, Samuel I.

From: Sent: To: Cc: Subject: Sheinberg, Samuel I. Wednesday, November 27, 2024 10:04 AM HSRHelp RE: HSR Form

Here are the answers to your questions:

Is it permissible for the Notification and Report Form and Affidavit to be signed by Docusign? Yes.

Our ultimate parent entity is a husband and a wife. Is it permissible to have only the husband execute the Form and state in an end note that the husband has the authority to execute the Form on behalf of his spouse (provided, of course, that the spouse actually provided him such authority in a power of attorney or other instrument)? Or do both spouses need to sign the Form and Affidavit. The husband may attest to both his and his wife's intent to complete the transaction on the affidavit.

In the case where the ultimate parent entity is an individual that has minor children, do the names of the minor children need to be listed in the Notification and Report Form with the names of all persons comprising the ultimate parent entity? No.

For purposes of Item 6(a), in the case where (i) the Notification and Report Form is being filed by an acquiring person, (ii) the ultimate parent entity is an individual and (iii) the individual controls a trust that has assets greater than \$10 million, which was created for the benefit of his children or other family members, should the trust be reported in Item 6(a), or should only entities that have sales be reported in Item 6(a)? If trust has assets of \$10 million you need to list it in item 6(a).

From:

Sent: Tuesday, November 26, 2024 9:31 AM To: HSRHelp <HSRHelp@ftc.gov> Subject: HSR Form

Hi,

We have a few questions regarding the preparation and execution of the Notification and Report Form.

- 1. Is it permissible for the Notification and Report Form and Affidavit to be signed by Docusign?
- 2. Our ultimate parent entity is a husband and a wife. Is it permissible to have only the husband execute the Form and state in an end note that the husband has the authority to execute the Form on behalf of his spouse (provided, of course, that the spouse actually provided him such authority in a power of attorney or other instrument)? Or do both spouses need to sign the Form and Affidavit.

- 3. In the case where the ultimate parent entity is an individual that has minor children, do the names of the minor children need to be listed in the Notification and Report Form with the names of all persons comprising the ultimate parent entity?
- 4. For purposes of Item 6(a), in the case where (i) the Notification and Report Form is being filed by an acquiring person, (ii) the ultimate parent entity is an individual and (iii) the individual controls a trust that has assets greater than \$10 million, which was created for the benefit of his children or other family members, should the trust be reported in Item 6(a), or should only entities that have sales be reported in Item 6(a)?

Thank you for your consideration.



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