

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Civil No: 1:01CV01237 (GK)
v.)	
)	Filed: March 28, 2002
3D SYSTEMS CORPORATION and)	
DTM CORPORATION,)	Judge: Kessler
)	
Defendants.)	
)	

**PLAINTIFF’S CERTIFICATE OF COMPLIANCE WITH PROVISIONS OF
THE ANTITRUST PROCEDURES AND PENALTIES ACT**

Plaintiff, the United States of America, hereby certifies that, in compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. §§ 16(b)-(h) (the “APPA”), the following procedures have been followed in preparation for the entry of a final judgment herein:

1. A Complaint was filed with the Court on June 6, 2001.
2. A proposed Final Judgment, a Stipulation by which the parties have agreed to the Court’s entry of the proposed Final Judgment following compliance with the APPA, a Motion to Enter the Stipulation and Order and a proposed form of Order approving the Stipulation were filed with the Court in this matter on August 16, 2001.
3. A Competitive Impact Statement relating to the proposed Final Judgment was filed with the Court on September 4, 2001.
4. Pursuant to 15 U.S.C. § 16(b), the Stipulation and Order, proposed Final

Judgment and Competitive Impact Statement were published in the Federal Register on September 26, 2001, Volume 66, at pages 49200 - 49211.¹ Due to the disruption in mail delivery during the relevant time period, the United States published a supplemental notice in the Federal Register on December 21, 2001, which extended the comment period required by the APPA by fifteen days.²

5. Pursuant to 15 U.S.C. § 16(b), copies of the Stipulation, proposed Final Judgment and Competitive Impact Statement were furnished to all persons requesting them.
6. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the proposed Final Judgment and the Competitive Impact Statement were published in the Washington Post, a newspaper of general circulation in the District of Columbia, during the period September 17, 2001 through September 23, 2001.³ Due to the disruption in mail delivery during the relevant time period, the United States published a supplemental notice in the Washington Post from December 20, 2001 through December 26, 2001, extending the comment period required by the APPA by fifteen days.⁴
7. Pursuant to 15 U.S.C. § 16(g), on August 27, 2001, defendants 3D Systems Corporation and DTM Corporation, respectively, made the requisite filings

¹ A copy of the Federal Register notice and publication is attached as Exhibit A.

² A copy of the supplemental Federal Register notice and publication is attached as Exhibit B.

³ A copy of the newspaper certificate of publication is attached as Exhibit C.

⁴ A copy of the newspaper certificate of supplemental publication is attached as Exhibit D.

regarding a description of written or oral communications by or on behalf of the defendants with any other officer or employee of the United States concerning the proposed Final Judgment, and served such filings upon the United States.⁵ On March 14, 2002, the United States first learned that, through error, defendants' §16(g) certifications had not been entered on the docket of this case. The United States then took immediate steps to have the defendants resubmit their §16(g) certifications and ensure their proper entry on the docket. The refiling occurred on March 18, 2002, and the certifications are now a part of the record in this case. The United States is unaware of any prejudice to anyone's interests resulting from the delay in lodging the § 16(g) certifications in the record.

8. Pursuant to 15 U.S.C. §§ 16(b) and (d), the sixty-day comment period for the receipt and consideration of written comments, during which the proposed Final Judgment could not be entered, commenced on September 27, 2001 and has now expired. The additional fifteen-day extension period provided by the United States because of the disruption in mail delivery has also expired.
9. The United States has received five public comments on the proposed Final Judgment. As required by 15 U.S.C. § 16(d), the United States evaluated these comments and published both the comments and a Response thereto in the Federal Register on March 12, 2002 at Volume 67, No. 48, pages 11123-11141.⁶

⁵ Copies of the defendants' § 16(g) certifications bearing "Received" file stamps are attached as Exhibit E.

⁶ A copy of this Federal Register notice and publication is attached as Exhibit F.

10. Pursuant to the Stipulation filed on August 16, 2001, and 16 U.S.C. § 16(e), the Court may enter the Final Judgment after it determines that the Judgment is in the public interest.
11. The Competitive Impact Statement filed herein demonstrates that the proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e).
12. The parties have satisfied all the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16 (b) - (h), as a condition for entering the proposed Final Judgment, and it is now appropriate for the Court to make the public interest determination required by 15 U.S.C. § 16(e) and to enter the Final Judgment.

Dated: March 28, 2002

Respectfully submitted,

_____/s/_____
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CERTIFICATE OF SERVICE

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