

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

LIBERTY LATIN AMERICA LTD.,

LIBERTY COMMUNICATIONS OF
PUERTO RICO LLC,

and

AT&T INC.,

Defendants.

UNITED STATES' EXPLANATION OF CONSENT DECREE PROCEDURES

The United States submits this short memorandum summarizing the procedures regarding the Court's entry of the proposed Final Judgment. This Judgment would settle this case pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) (the "APPA"), which applies to civil antitrust cases brought and settled by the United States.

1. Today, the United States has filed a Complaint and, attached to this Explanation of Consent Decree Procedures, a proposed Final Judgment and an Asset Preservation Stipulation and Order between the parties by which they have agreed that the Court may enter the proposed Final Judgment after the United States has complied with the APPA. The United States will file a Competitive Impact Statement relating to the proposed Final Judgment.

2. The Asset Preservation Stipulation and Order is a document that has been agreed to by both the United States and the Defendants. The United States and the Defendants ask that the Court sign this Order, which ensures that the Defendants preserve competition by complying with the provisions of the proposed Final Judgment and maintaining any assets to be divested during the pendency of the proceedings required by the Tunney Act. *See* 15 U.S.C. § 16(b)-(h).

3. The APPA requires that the United States publish the proposed Final Judgment and the Competitive Impact Statement in the *Federal Register* and cause to be published a summary of the terms of the proposed Final Judgment and the Competitive Impact Statement in certain newspapers at least sixty days prior to entry of the proposed Final Judgment. Defendants in this matter have agreed to arrange and bear the costs for the newspaper notices. The notice will inform members of the public that they may submit comments about the proposed Final Judgment to the United States Department of Justice, Antitrust Division. *See* 15 U.S.C. § 16(b)-(c).

4. During the sixty-day period, the United States will consider, and at the close of that period respond to, any comments that it has received, and it will post the comments and the United States' responses on the U.S. Department of Justice, Antitrust Division's internet website and, under certain circumstances, publish them in the *Federal Register*.

5. After the expiration of the sixty-day period, the United States will file with the Court the comments and the United States' responses, and it may ask the Court to enter the proposed Final Judgment (unless the United States has decided to withdraw its

consent to entry of the Final Judgment, as permitted by Paragraph V.A of the Asset Preservation Stipulation and Order, *see* 15 U.S.C. § 16(d)).

6. If the United States requests that the Court enter the proposed Final Judgment after compliance with the APPA, 15 U.S.C. § 16(e)-(f), then the Court may enter the Final Judgment without a hearing, provided that it concludes that the Final Judgment is in the public interest.

Dated: October 23, 2020

Respectfully submitted,

FOR PLAINTIFF UNITED STATES:

/s/ Matthew Jones
MATTHEW JONES (D.C. Bar #1006602)
U.S. Department of Justice
Antitrust Division
450 Fifth Street, N.W., Suite 7000
Washington, DC 20530
Telephone: (202) 598-8369
Fax: (202) 514-6381
Email: Matthew.Jones3@usdoj.gov

CERTIFICATE OF SERVICE

I, Matthew Jones, hereby certify that on October 23, 2020, I caused a copy of the Complaint, Explanation of Consent Decree Procedures, Asset Preservation Stipulation and Order, and proposed Final Judgment to be served on Defendants Liberty Latin America Ltd., Liberty Communications of Puerto Rico LLC, and AT&T Inc. by mailing the documents electronically to their duly authorized legal representatives as follows:

FOR DEFENDANTS LIBERTY LATIN AMERICA LTD. & LIBERTY COMMUNICATIONS OF PUERTO RICO LLC:

Michael A. Lindsay
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402-1498
Lindsay.Michael@dorsey.com

Creighton Magid
Dorsey & Whitney LLP
1401 New York Avenue NW, Suite 900
Washington, DC 20005
Magid.Chip@dorsey.com

FOR DEFENDANT AT&T INC.:

Debbie Feinstein
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Avenue, NW
Washington, DC 20001-3743
Debbie.Feinstein@arnoldporter.com

/s/ Matthew Jones
MATTHEW JONES (D.C. Bar #1006602)
U.S. Department of Justice
Antitrust Division
450 Fifth Street, N.W., Suite 7000
Washington, DC 20530
Telephone: (202) 598-8369
Fax: (202) 514-6381
Email: Matthew.Jones3@usdoj.gov