

Sheinberg, Samuel I.

From: HSRHelp
Sent: Wednesday, May 10, 2023 11:55 AM
To: Walsh, Kathryn E.; Berg, Karen E.; Shaffer, Kristin; Sheinberg, Samuel I.; Six, Anne; Whitehead, Nora; Fetterman, Michelle
Subject: FW: Item 4

From: Musick, Vesselina <vmusick@ftc.gov>
Sent: Wednesday, May 10, 2023 11:54:49 AM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: HSRHelp <HSRHelp@ftc.gov>
Subject: RE: Item 4

Confirmed.

From: [REDACTED]
Sent: Wednesday, May 10, 2023 9:02:37 AM (UTC-05:00) Eastern Time (US & Canada)
To: HSRHelp <HSRHelp@ftc.gov>
Subject: Item 4

Dear PNO:

I understand that interpretation [1205015](#) is no longer the position of PNO as to its statement about excluding a potential 4c/4d document based on a determination that the document's analysis is limited to geographies outside the US. However, the interpretation also addresses whether a draft document that is submitted to a single director (not the entire board or a subcommittee) ceases to be a draft. The relevant portion of the interpretation states "We have drawn a bright line on drafts submitted to the entire board of the person filing notification or the entire board of a sub (probably the acquisition vehicle), not a single director. Also drafts submitted to entire committees or subcommittees of the board." Can you please confirm whether this aspect of the interpretation is still the position of PNO?

Thank you.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

    

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[REDACTED]

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