

## Antitrust, Franchise & Consumer Law Client Service Group

To: Our Clients and Friends

January 25, 2011

### Premerger Notification Thresholds Increased

Effective February 24, 2011, the jurisdictional thresholds for the Hart-Scott-Rodino Antitrust Improvements Act of 1976, as amended, will be increased. Pursuant to statutory amendments made in 2000, the thresholds are annually adjusted based on changes in gross national product. **One key effect of this year's indexing is that transactions will only be reportable if the Size of Transaction exceeds \$66 million. This is an increase over last year's \$63.4 million threshold.** The revised thresholds will apply to all transactions that close on or after February 24, 2011. Key revised thresholds are as follows:

Original Threshold	2011 Threshold
\$50 million Size of Transaction Test	\$66 million
\$200 million Size of Transaction Test	\$263.8 million
\$100 million Size of Person Test	\$131.9 million
\$10 million Size of Person Test	\$13.2 million

In addition, while the amounts of the premerger filing fees themselves have not changed, the filing fee thresholds have increased as follows:

Filing Fee	Original Filing Fee Threshold	2011 Filing Fee Threshold
\$45,000	Transactions valued at more than \$50 million but less than \$100 million	Transactions valued at more than \$66 million but less than \$131.9 million
\$125,000	Transactions valued at \$100 million or more but less than \$500 million	Transactions valued at \$131.9 million or more but less than \$659.5 million
\$280,000	Transactions valued at \$500 million or more	Transactions valued at \$659.5 million or more

For more information on the revised thresholds, please contact Becky Nelson at (314) 259-2412 or Danielle Mangogna at (314) 259-2157 in St. Louis or Dan Schwartz at (202) 508-6025 in Washington, D.C.

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