

information, Heraeus shall not consummate the proposed transaction or agreement until thirty (30) calendar days after submitting all such additional information. Early termination of the waiting periods in this paragraph may be requested and, where appropriate, granted in the same manner as is applicable under the requirements and provisions of the HSR Act and rules promulgated thereunder. This Section shall be broadly construed and any ambiguity or uncertainty regarding the filing of notice under this Section shall be resolved in favor of filing notice.

#### XIV. No Reacquisition

During the term of this Final Judgment, Heraeus may not reacquire any part of the Divestiture Assets purchased by the Acquirer.

#### XV. Retention of Jurisdiction

This Court retains jurisdiction to enable any party to this Final Judgment to apply to this Court at any time for further orders and directions as may be necessary or appropriate to carry out or construe this Final Judgment, to modify any of its provisions, to enforce compliance, and to punish violations of its provisions.

#### XVI. Expiration of Final Judgment

Unless this Court grants an extension, this Final Judgment shall expire ten (10) years from the date of its entry.

#### XVII. Public Interest Determination

Entry of this Final Judgment is in the public interest. The parties have complied with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16, including making copies available to the public of this Final Judgment, the Competitive Impact Statement, and any comments thereon and the United States' responses to comments. Based upon the record before the Court, which includes the Competitive Impact Statement and any comments and response to comments filed with the Court, entry of this Final Judgment is in the public interest.

Date: \_\_\_\_\_

Court approval subject to procedures of Antitrust Procedures and Penalties Act, 15 U.S.C. § 16

United States District Judge

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## DEPARTMENT OF LABOR

### Employment and Training Administration.

#### Announcement Regarding a Change in Eligibility for Unemployment Insurance (UI) Claimants in Colorado, Florida, Michigan, Rhode Island, the Virgin Islands and Washington in the Emergency Unemployment Compensation 2008 (EUC08) Program

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Labor (Department) produces trigger notices indicating which states qualify for EUC08 benefits, and provides the beginning and ending dates of payable periods for each qualifying state. The trigger notices covering state eligibility for this program can be found at: [http://ows.doleta.gov/unemploy/claims\\_arch.asp](http://ows.doleta.gov/unemploy/claims_arch.asp).

The following changes have occurred since the publication of the last notice regarding states' EUC08 trigger status:

- Colorado triggers "off" Tier 3 of EUC08 effective 12/14/2013.

Based on data released by the Bureau of Labor Statistics on November 22, 2013, the three month average, seasonally adjusted total unemployment rate in Colorado was 6.9%, falling below the 7.0% trigger rate threshold necessary to remain "on" Tier 3 of EUC08. The week ending December 14, 2013, will be the last week in which EUC08 claimants in Colorado who have exhausted Tier 2, and are otherwise eligible, can establish Tier 3 eligibility.

- Florida triggers "off" Tier 3 of EUC08 effective 12/14/2013.

Based on data released by the Bureau of Labor Statistics on November 22, 2013, the three month average, seasonally adjusted total unemployment rate in Florida was 6.8%, falling below the 7.0% trigger rate threshold necessary to remain "on" Tier 3 of EUC08. The week ending December 14, 2013, will be the last week in which EUC08 claimants in Florida who have exhausted Tier 2, and are otherwise eligible, can establish Tier 3 eligibility.

- Michigan triggers "on" Tier 4 of EUC08 effective 12/8/2013.

Based on data released by the Bureau of Labor Statistics on November 22, 2013, the three month average, seasonally adjusted total unemployment rate in Michigan was 9.0%, meeting the 9.0% trigger rate threshold necessary to trigger "on" Tier 4 of EUC08. The week beginning December 8, 2013, will be the first week in which EUC08 claimants in

Michigan who have exhausted Tier 3, and are otherwise eligible, can establish Tier 4 eligibility.

- Rhode Island triggers "on" Tier 4 of EUC08 effective 12/8/2013.

Based on data released by the Bureau of Labor Statistics on November 22, 2013, the three month average, seasonally adjusted total unemployment rate in Rhode Island was 9.1%, exceeding the 9.0% trigger rate threshold necessary to trigger "on" Tier 4 of EUC08. The week beginning December 8, 2013, will be the first week in which EUC08 claimants in Rhode Island who have exhausted Tier 3, and are otherwise eligible, can establish Tier 4 eligibility.

- Washington triggers "on" to Tier 3 of EUC08 effective 12/8/2013.

Based on data released by the Bureau of Labor Statistics on November 22, 2013, the three month average, seasonally adjusted total unemployment rate in Washington was 7.0%, meeting the 7.0% trigger rate threshold necessary to trigger "on" Tier 3 of EUC08. The week beginning December 8, 2013, will be the first week in which EUC08 claimants in Washington who have exhausted Tier 2, and are otherwise eligible, can establish Tier 3 eligibility.

- The Virgin Islands triggers "on" to Tier 4 of EUC08 effective 11/10/2013.

Based on data released by the Bureau of Labor Statistics on October 22, 2013, the estimated three month average, seasonally adjusted total unemployment rate in the Virgin Islands was 9.8%, exceeding the 9.0% trigger rate threshold necessary to trigger "on" in Tier 4 of EUC08. The week beginning November 10, 2013, was the first week in which EUC08 claimants in the Virgin Islands who had exhausted Tier 3 and were otherwise eligible, could establish Tier 4 eligibility.

#### Information for Claimants

The duration of benefits payable in the EUC08 program, and the terms and conditions under which they are payable, are governed by Public Laws 110-252, 110-449, 111-5, 111-92, 111-118, 111-144, 111-157, 111-205, 111-312, 112-96, and 112-240, and the operating instructions issued to the states by the Department.

In the case of a state beginning or concluding a payable period in EUC08, the State Workforce Agency (SWA) will furnish a written notice of any change in potential entitlement to each individual who could establish, or had established, eligibility for benefits (20 CFR 615.13 (c)(1) and (c)(4)). Persons who believe they may be entitled to benefits in the EUC08 program, or who

wish to inquire about their rights under this program, should contact their SWA.

**FOR FURTHER INFORMATION CONTACT:**

Tony Sznoluch, U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, 200 Constitution Avenue NW., Frances Perkins Bldg. Room S-4524, Washington, DC 20210, telephone number (202) 693-3176 (this is not a toll-free number) or by email: [sznoluch.anatoli@dol.gov](mailto:sznoluch.anatoli@dol.gov).

Signed in Washington, DC, this 6th day of December, 2013.

**Eric M. Seleznow,**

*Acting Assistant Secretary for Employment and Training.*

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of *December 30, 2013 through January 3, 2014*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) there has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group

eligibility requirements of Section 222(c) of the Act must be met.

(1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—