

ANTITRUST AND REGULATORY DUE DILIGENCE CHECKLIST

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This checklist contains documents and information related to antitrust and regulatory issues that a seller might request from a buyer.

ANTITRUST AND REGULATORY	OWNER	COMPLETE?	DATE OF COMPLETION	NOTES
If the buyer competes with the target company, plans to understand and work around limitations imposed on the scope or timing of diligence findings				
For companies in an industry where regulatory approval of an acquisition is required, understand the process of seeking and obtaining approval				
Confirm the company's involvement in antitrust or regulatory inquiries or investigations				
How could consolidation in the company's industry impact the regulatory approval?				
Scope of antitrust issues				
How to address issues required in preparing a Hart-Scott-Rodino filing (if needed) and how to respond to any requests from the DOJ or FTC				
Determine if Exon-Florio Amendment is relevant (for deals involving national security or foreign investments)				
For a buyer that is a foreign entity, what Department of Commerce issues may arise				

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