

Commission's rules of practice and procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and to authorize the administrative law judge and the Commission, without further notice to that respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against that respondent.

By order of the Commission.  
Issued: August 20, 2002.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 02-21584 Filed 8-22-02; 8:45 am]

BILLING CODE 7020-02-P

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## JUDICIAL CONFERENCE OF THE UNITED STATES

### Hearings of the Judicial Conference Advisory Committees on Rules of Bankruptcy and Criminal Procedure, and the Rules of Evidence

**AGENCY:** Judicial Conference of the United States, Advisory Committees on Rules of Bankruptcy and Criminal Procedure, and the Rules of Evidence.

**ACTION:** Notice of proposed amendments and open hearings.

**SUMMARY:** The Advisory Committees on Rules of Bankruptcy and Criminal Procedure, and the Rules of Evidence have proposed amendments to the following rules:

*Bankruptcy Rule:* 9014.

*Criminal Rules:* 41; Rules Governing § 2254 Cases and § 2255. Proceedings and accompanying forms.

*Rules Governing § 2254 Cases:* 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11.

*Rules Governing § 2255 Proceedings:* 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.

*Evidence Rule:* 804.

The Judicial Conference Committee on Rules of Practice and Procedure submits these rules for public comment. All comments and suggestions with

respect to them must be placed in the hands of the Secretary as soon as convenient and, in any event, not later than February 15, 2003. All written comments on the proposed rule amendments can be sent by one of the following three ways: By overnight mail to Peter G. McCabe, Secretary, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, Thurgood Marshall Federal Judiciary Building, Washington, DC 20002; by electronic mail via the Internet at <http://www.uscourts.gov/rules/>; or by facsimile to Peter G. McCabe at (202) 502-1755. In accordance with established procedures all comments submitted on the proposed amendments are available to public inspection.

Public hearings are scheduled to be held on the amendments to:

- Bankruptcy Rules in Washington, DC, on January 24, 2003;
- Criminal Rules and Rules Governing § 2254 Cases and § 2255 Proceedings in Atlanta, Georgia, on January 31, 2003; and
- Evidence Rules in Washington, DC, on January 27, 2003.

Those wishing to testify should contact the Secretary at the address above in writing at least 30 days before the hearing.

The text of the proposed rule amendments and the accompanying Committee Notes can be found at the United States Federal Courts' Home Page at <http://www.uscourts.gov/rules/> on the Internet.

**FOR FURTHER INFORMATION CONTACT:** John K. Rabiej, Chief, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502-1820.

Dated: August 19, 2002.

**John K. Rabiej,**

*Chief, Rules Committee Support Office.*

[FR Doc. 02-21533 Filed 8-22-02; 8:45 am]

BILLING CODE 2210-55-M

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### United States v. Columbia Broadcasting System, Inc., and Viacom International, Inc., Case No. 72-820-RJK (C.D. Cal.)

Notice is hereby given that Viacom International, Inc. ("Viacom"), has moved to terminate the Final Judgment entered against it by the United States District Court for the Central District of California on January 17, 1973. In a stipulation also filed with the Court, the United States has tentatively agreed not

to oppose the motion, but as a matter of policy will not finally consent to the termination of any judgment without providing public notice and an opportunity for public comments to be received and considered.

On April 14, 1972, the United States filed separate actions against CBS, NBC and ABC, the companies that operated the three then-existing national television networks (the "Network Cases"). The Network Cases charged the three networks with restraint of trade, monopolization and attempted monopolization of the market for prime time entertainment programming in violation of Sections 1 and 2 of the Sherman Act.

The syndication operations of CBS had been spun off from CBS to Viacom in 1971 in order to comply with a 1970 FCC rule. Viacom was named as an additional defendant in the action against CBS to insure that any relief obtained against CBS would be effective. The Final Judgment prohibited any Viacom director or officer from also being a director or officer of a broadcast television network, and from owning or controlling more than one percent of the stock of any such network.

Between 1977 and 1980, each of the three networks entered into settlements with the United States (the "Network Decrees"). Among other things, the Network Decrees: (1) Prohibited the three networks from acquiring certain financial interests or proprietary rights in television programs produced by others; (2) limited the amount of programming that each network could produce for its own use; and (3) prohibited the networks from engaging in the domestic syndication of television programs. Following significant changes in the marketplace and the erosion of broadcast television's share of the overall television market, the Network Decrees were modified by the Court in 1993 and have ceased to be operable.

Viacom has filed with the Court a memorandum setting forth the reasons it believes that termination of the Final Judgment would serve the public interest. Copies of Viacom's motion and supporting memorandum, the stipulation containing the United States' tentative consent, and all further papers filed with the Court in connection with the motion will be available for inspection at the Antitrust Documents Group of the Antitrust Division, 325 7th Street, NW., Room 215 North, Liberty Place Building, Washington, DC 20530, and at the Office of the Clerk of the United States District Court for the Central District of California. Copies of these materials may be obtained from