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Signature by the State of Texas of

Complaint in *United States of America, et al.*,

v. First Data Corporation and Concord EFS,

Inc.

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Appendix A

Herfindahl-Hirschman Index

“HHI” means the Herfindahl-Hirschman Index, a commonly accepted measure of market concentration. It is calculated by squaring the market share of each firm competing in the market and then summing the resulting numbers. For example, for a market consisting of four firms with shares of 30%, 30%, 20%, and 20%, the HHI is 2600 ($30^2 + 30^2 + 20^2 + 20^2 = 2600$). (Note: Throughout the Compliant, market share percentages have been rounded to the nearest whole number, but HHIs have been estimated using unrounded percentages in order to accurately reflect the concentration of the various markets.) The HHI takes into account the relative size distribution of the firms in a market and approaches zero when a market consists of a large number of small firms. The HHI increases both as the number of firms in the market decreases and as the disparity in size between those firms increases.

Markets in which the HHI is between 1000 and 1800 points are considered to be moderately concentrated, and those in which the HHI is in excess of 1800 points are considered to be highly concentrated. See Horizontal Merger Guidelines ¶ 1.51 (revised Apr. 8, 1997). Transactions that increase the HHI by more than 100 points in concentrated markets presumptively raise antitrust concerns under the guidelines issued by the U.S. Department of Justice and Federal Trade Commission. See *id.*

[FR Doc. 04-2688 Filed 2-9-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment And Training Administration

[TA-W-53,875]

Cascade De Mexico, Inc., a Division of Cascade West Sportswear, Inc., Puyallup, Washington; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 23, 2003 in response to a petition filed by a company official on behalf of workers of Cascade de Mexico, Inc., a division of Cascade West Sportswear, Inc., Puyallup, Washington.

The investigation revealed that the subject firm can be certified upon an amendment to a previous certification (TA-W-53,873). The workers at the subject firm were in support of the production facility previously certified under (TA-W-53,873). Consequently the investigation has been terminated.

Signed at Washington, DC, this 12th day of January, 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-240 Filed 2-9-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-53,874]

Cascade West Sportswear, Inc., Puyallup, Washington; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 23, 2003 in response to a petition filed by a company official on behalf of workers of Cascade West Sportswear, Inc., Puyallup, Washington.

The investigation revealed that the subject firm can be certified upon an amendment to a previous certification (TA-W-53,873). The workers at the subject firm were in support of the production facility previously certified under (TA-W-53,873). Consequently the investigation has been terminated.

Signed at Washington, DC, this 12th day of January, 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-242 Filed 2-9-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment And Training Administration

[TA-W-53,042]

Solon Manufacturing Co., Rhinelander, Wisconsin; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on October 22, 2003, applicable to workers of Solon Manufacturing Company, Rhinelander, Wisconsin. The notice was published in the **Federal Register** on November 28, 2003 (68 FR 66879).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of ice cream sticks and are not separately identifiable by product line.

New findings show that there was a previous certification, TA-W-39,153, issued on May 8, 2001, for workers of Solon Manufacturing, Rhinelander, Wisconsin, who were engaged in employment related to the production of ice cream sticks. That certification expired May 8, 2003. To avoid an overlap in worker group coverage, the certification is being amended to change the impact date from September 24, 2002, to May 9, 2003, for workers of the subject firm.

The amended notice applicable to TA-W-53,042 is hereby issued as follows:

“All workers of Solon Manufacturing Company, Rhinelander, Wisconsin, who became totally or partially separated from employment on or after May 9, 2003, through October 22, 2005, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974 and are also eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.”

Signed at Washington, DC, this 22nd day of January, 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-245 Filed 2-9-04; 8:45 am]

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