

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-403 and 731-TA-895-896 (Final)]

Pure Magnesium From China and Israel

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from China of pure magnesium, provided for in subheading 8104.30.00 of the Harmonized Tariff Schedule of the United States (HTSUS), that have been found by the Department of Commerce to be sold in the United States at less than fair value (LTFV).² The Commission also determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1671d(b) and § 1673d(b)) that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded by reason of imports from Israel of pure magnesium provided for in subheadings 8104.11.00 and 8104.19.00, and 8104.30.00 of the HTSUS, that have been found by the Department of Commerce to be sold in the United States at LTFV and to be subsidized by the Government of Israel.

Background

The Commission instituted these investigations effective October 17, 2000, following receipt of a petition filed with the Commission and Commerce by Magcorp, Salt Lake City, UT, the United Steel Workers of America, Local 8319, Salt Lake City, UT, and the USWA International.³ The final

phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of pure magnesium from Israel were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. § 1671b(b) and imports of pure magnesium from China and Israel were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. § 1673b(b)). Notice of the scheduling of the Commission's investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of June 4, 2001 (66 FR 29987) and September 20, 2001 (66 FR 48478). The hearing was held in Washington, DC, on October 11, 2001, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on November 13, 2001. The views of the Commission are contained in USITC Publication 3467 (November 2001), entitled *Pure Magnesium from China and Israel: Investigations Nos. 701-TA-403 and 731-TA-895-896 (Final)*.

By order of the Commission.

Issued: November 14, 2001.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-413 and 731-TA-913-918 (Final)]

Stainless Steel Bar From France, Germany, Italy, Korea, Taiwan, and the United Kingdom

AGENCY: United States International Trade Commission.

ACTION: Revised schedule for the subject investigations.

EFFECTIVE DATE: November 13, 2001.

FOR FURTHER INFORMATION CONTACT: Larry Reavis (202-205-3185), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain

amendment to petitions adding "concerned employees of Northwest Alloys, Inc." as co-petitioners.

information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

SUPPLEMENTARY INFORMATION: On September 17, 2001, the Commission established a schedule for the conduct of the final phase of the subject investigations (**Federal Register** 66 FR 48063, September 17, 2001). Subsequently, the Department of Commerce moved the date for its final determinations in the investigations from December 17, 2001, to January 15, 2002. The Commission, therefore, is revising its schedule to conform with Commerce's new schedule.

The Commission's new schedule for the investigations is as follows: requests to appear at the hearing must be filed with the Secretary to the Commission not later than January 10, 2002; if parties are not able to agree on time allocations (within the prescribed limit) for the hearing, a prehearing conference will be held at the U.S. International Trade Commission Building at 9:30 a.m. on January 15, 2002; the prehearing staff report will be placed in the nonpublic record on January 4, 2002; the deadline for filing prehearing briefs is January 11, 2002; the hearing will be held at the U.S. International Trade Commission Building at 9:30 a.m. on January 17, 2002; the deadline for filing posthearing briefs is January 25, 2002; the Commission will make its final release of information on February 12, 2002; and final party comments are due on February 14, 2002.

For further information concerning these investigations see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

Issued: November 14, 2001.

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

² Commissioners Hillman and Miller dissenting. They defined two domestic like products, pure granular magnesium and pure magnesium ingot. With respect to pure granular magnesium, they found subject imports from Israel to be negligible and they found that the domestic pure granular magnesium industry is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded by reason of subject imports from China. They also found that the domestic pure magnesium ingot industry is not materially injured or threatened with material injury and the establishment of an industry in the United States is not materially retarded by reason of subject imports from Israel.

³ See letter from petitioners dated October 26, 2000, amending the petitions to include the USWA International as co-petitioners and April 20, 2001

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01-28902 Filed 11-19-01; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

[Civil Action No. 98-475-JJF]

United States of America v. Federation of Physicians and Dentists, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. section 16(b) through (h), that a proposed Final Judgment and Competitive Impact Statement have been filed in a civil antitrust case, *United States of America v. Federation of Physicians and Dentists, Inc.*, Civil Action No. 98-475JJF, in the United States District Court for the District of Delaware.

The Complaint in the case alleges that the Federation of Physicians and Dentists, Inc. ("Federation") coordinated an understanding among its members, Delaware orthopedic surgeons in private practice, to negotiate exclusively through the Federation to oppose a proposed fee reduction by Blue Cross and Blue Shield of Delaware in violation of section 1 of the Sherman Act, 15 U.S.C. 1.

The proposed Final Judgment eliminates the Federation's illegal practices and prevents their renewal, enjoining the Federation from engaging in practices that would limit competition among Delaware orthopedic surgeons in the sale of orthopedic services.

Public comment on the proposed Final Judgment is invited within the statutory 60-day comment period. Such comments and responses thereto will be published in the **Federal Register** and filed with the Court. Comments should be directed to Gail Kursh, Chief, Health Care Task Force; Antitrust Division; United States Department of Justice; 325 Seventh St., NW.; Room 404; Washington, DC 20530 (Tel.: (202) 307-5799).

Mary Jean Moltenbrey,

Director of Civil Nonmerger Enforcement, Antitrust Division, United States Department of Justice.

Stipulation

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. The Court has jurisdiction over the subject matter of this action and over both of the parties, and venue of this action is proper in the District of Delaware.

2. The parties consent that a Final Judgment in the form attached may be filed and entered by the Court, upon the motion of either party or upon the Court's own action, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act (15 U.S.C. 16), and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by serving notice thereof on defendant and by filing that notice with the Court.

For Plaintiff:

Charles A. James,

Assistant Attorney General.

R. Hewitt Pate,

Deputy Assistant Attorney General.

Mary Jean Moltenbrey,

Director of Civil Non-Merger, Enforcement, Office of Operations.

Gail Kursh,

Chief, Health Care Task Force.

David C. Jordan,

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For Defendant:

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Hal K. Litchford,

Donald E. Christopher,

G. Steven Fender,

Litchford & Christopher, 390 N. Orange Avenue, P.O. Box 1549, Orlando, FL 32802, Tel.: (407) 422-6600.

Final Judgment

Plaintiff, the United States of America, having filed its Complaint on August 12, 1998, and plaintiff and defendant Federation of Physicians and Dentists, by their respective attorneys, having consented to the entry of this

Final Judgment without trial or adjudication of any issue of fact or law, and without this Final Judgment constituting any evidence against or an admission by any party with respect to any issue of fact or law;

And Whereas defendant has agreed to be bound by the provisions of this Final Judgment.

Now, Therefore, before the taking of any testimony, and without trial or adjudication of any issue of fact or law, and upon consent of the plaintiff and defendant, it is hereby *Ordered, Adjudged, and Decreed*:

I. Jurisdiction

This Court has jurisdiction over the subject matter of and over the plaintiff and defendant to, this action. The Complaint states a claim upon which relief may be granted against defendant under section 1 of the Sherman Act, 15 U.S.C. 1.

II. Definitions

As used in this Final Judgment:

(A) "Communicate" means to discuss, disclose, transfer, disseminate, or exchange information or opinion, formally or informally, in any manner;

(B) "Competing physicians" or "competing orthopedic surgeons" means two or more physicians (or two or more orthopedic surgeons, respectively) in separate, private medical practices in the same specialty in the same country;

(C) "Competitively sensitive information" means:

(1) Any participating physician's actual or possible view, intention, or position concerning the negotiation or acceptability of any proposed or existing payer contract or contract term, including the physician's negotiating or contracting status with any payer or the physician's response to any payer contract or contract term; or

(2) Any proposed or existing term of any payer contract that affects:

(a) The amount of fees or payment, however determined, that a participating physician charges, contracts for, or accepts from, or considers charging, contracting for, or accepting from any payer for providing physician services;

(b) The duration, amendment, or termination of the payer contract;

(c) Utilization review and pre-certification; or

(d) The manner of resolving disputes between the participating physician and the payer;

(D) "Defendant" means the Federation of Physicians and Dentists, its directors, officers, agents, representatives, and