

- Vienna, Virginia, Court of Federal Claims Number 01-0644V
35. Camilla and Patrick Thomas on behalf of Kenidi Dayna Thomas, Montgomery, Alabama, Court of Federal Claims Number 01-0645V
 36. Brian Wayda on behalf of Jacob Patrick Wayda, Springfield, Virginia, Court of Federal Claims Number 01-0646V
 37. Regina and Shannon Lemire on behalf of Destiny Lemire, Portland, Maine, Court of Federal Claims Number 01-0647V
 38. Timothy Smith on behalf of Lydia Smith, Tanglewood, Mississippi, Court of Federal Claims Number 01-0651V
 39. Mary Kathleen Carter on behalf of Kirby Carter, Hood River, Oregon, Court of Federal Claims Number 01-0652V
 40. Albert G. Gurries, II, Sparks, Nevada, Court of Federal Claims Number 01-0656V
 41. Mary Goings on behalf of James Goings, Jr., McMinnville, Oregon, Court of Federal Claims Number 01-0657V
 42. Noreen McGuire on behalf of Brooke McGuire, Boston, Massachusetts, Court of Federal Claims Number 01-0658V
 43. Xiujuan Wang and George Chou on behalf of Yuening Chou, Cambridge, Massachusetts, Court of Federal Claims Number 01-0659V
 44. Deborah Delp on behalf of Rodney E. Delp, Jr., Boston, Massachusetts, Court of Federal Claims Number 01-0661V
 45. Amy Brockelmeyer on behalf of Ashley Brockelmeyer, Boston, Massachusetts, Court of Federal Claims Number 01-0662V
 46. James Don Easterling, Little Rock, Arkansas, Court of Federal Claims Number 01-0667V
 47. Jason Saucier and Cleile Joy Scott on behalf of Avery Saucier, Metairie, Louisiana, Court of Federal Claims Number 01-0673V
 48. Melissa Johnson on behalf of Evan Johnson, Vienna, Virginia, Court of Federal Claims Number 01-0675V
 49. Andrea and Robert Kantor on behalf of Madelyn Kantor, Katonah, New York, Court of Federal Claims Number 01-0679V
 50. Deborah Mikelson on behalf of Kali Mikelson, Fort Dodge, Iowa, Court of Federal Claims Number 01-0681V
 51. Robert Welch, Des Moines, Iowa, Court of Federal Claims Number 01-0682V
 52. Jeanne Pellegrino on behalf of Michael Pellegrino, Boston, Massachusetts, Court of Federal Claims Number 01-0684V
 53. Jeff Leed on behalf of Tyler Scott Leed, Vienna, Virginia, Court of Federal Claims Number 01-0686V
 54. Lavilla Aileen Campbell, Allen, Kentucky, Court of Federal Claims Number 01-0688V
 55. Debra and Scott Hippensteel on behalf of Ryan Scott Hippensteel, Allentown, Pennsylvania, Court of Federal Claims Number 01-0690V
 56. Laura and Stanley Foss on behalf of Jacob Kenneth Foss, Gorham, Maine, Court of Federal Claims Number 01-0691V
 57. Alma Guadalupe Rojas, Los Angeles, California, Court of Federal Claims Number 01-0692V
 58. Henry Stein on behalf of Michael Stein, Boston, Massachusetts, Court of Federal Claims Number 01-0693V
 59. Brooke Anna Childers, Ely, Nevada, Court of Federal Claims Number 01-0694V
 60. Bridget and Jerome Wanecski on behalf of Emily Brooke Wanecski, Sarasota, Florida, Court of Federal Claims Number 01-0695V
 61. Sonia Suarez, Vienna, Virginia, Court of Federal Claims Number 01-0700V
 62. Malissa Evans on behalf of Jeremiah William Evans, Vienna, Virginia, Court of Federal Claims Number 01-0701V
 63. Claire Serowinski on behalf of Ryan Serowinski, Vienna, Virginia, Court of Federal Claims Number 01-0702V
 64. Otilia Sullivan on behalf of Justin Sullivan, Vienna, Virginia, Court of Federal Claims Number 01-0703V
 65. Lawrence Hobbs on behalf of Samuel Hobbs, Vienna, Virginia, Court of Federal Claims Number 01-0704V
 66. Maryann and Michael Zezulak on behalf of Michael Scott Zezulak, Jr., Vienna, Virginia, Court of Federal Claims Number 01-0705V
 67. Jean Steele on behalf of Paul W. Steele, Vienna, Virginia, Court of Federal Claims Number 01-0706V
 68. Michael Stephen Shaw, San Francisco, California, Court of Federal Claims Number 01-0707V
 69. Shirley Allen, Tylertown, Mississippi, Court of Federal Claims Number 01-0716V
 70. Sharon Bubb, Boston, Massachusetts, Court of Federal Claims Number 01-0721V
 71. Francesca Walkiewicz on behalf of Samuel Walkiewicz, Boston, Massachusetts, Court of Federal Claims Number 01-0722V
- Dated: March 5, 2002.
Elizabeth M. Duke,
Acting Administrator.
 [FR Doc. 02-5841 Filed 3-11-02; 8:45 am]
BILLING CODE 4165-15-P

DEPARTMENT OF THE INTERIOR

Geological Survey

Technology Transfer Act of 1986

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice of Proposed Cooperative Research & Development Agreement (CRADA) Negotiations.

SUMMARY: The United States Geological Survey (USGS) is contemplating entering into a Cooperative Research and Development Agreement (CRADA) with Mala Geoscience, Inc. to investigate the applications of advanced surface and borehole electromagnetic and impulse radar systems to hydrologic problems and other near-surface imaging problems.

Inquiries: If any other parties are interested in similar activities with the USGS, please contact John W. Lane, Jr., U.S. Geological Survey, 11 Sherman Place, U-5010 Storrs Mansfield, CT 06269; phone (860) 487-7402, x.13/fax (860) 487-8802.

SUPPLEMENTARY INFORMATION: This notice is submitted to meet the USGS policy requirements stipulated in Survey Manual Chapter 500.20.

Dated: February 28, 2002.

Robert M. Hirsch,
Associate Director for Water.

[FR Doc. 02-5844 Filed 3-11-02; 8:45 am]

BILLING CODE 4310-Y7-M

DEPARTMENT OF THE INTERIOR

Geological Survey

Advisory Committee on Water Information

AGENCY: United States Geological Survey, Interior.

ACTION: Notice of an open meeting of the Advisory Committee on Water Information (ACWI).

SUMMARY: Notice is hereby given of a meeting of the ACWI. This meeting of the ACWI is to discuss broad policy-related topics relating to national water resource issues, and to hear reports from ACWI subgroups. The proposed agenda will include a series of discussions concerning various U.S. Government policies and programs related to the development and dissemination of water information.

The ACWI has been established under the authority of the Office of Management and Budget Memorandum M-92-01 and the Federal Advisory Committee Act. The purpose of the ACWI is to provide a forum for water-

information users and professionals to advise the Federal Government of activities and plans that may improve the effectiveness of meeting the Nation's water information needs. More than 30 organizations have been invited by the Secretary of the Interior to name representatives to the ACWI. These include Federal departments, State, local, and tribal government organizations, industry, academia, agriculture, environmental organizations, professional societies, and volunteer groups.

DATES: The formal meeting will convene at 8:30 a.m. on April 2, 2002, and will adjourn on April 3, 2002, by 5 p.m.

ADDRESSES: Days Hotel and Conference Center, 2200 Centreville Road, Herndon, Virginia.

FOR FURTHER INFORMATION CONTACT: Ms. Toni M. Johnson (Executive Secretary, ACWI), Chief, Water Information Coordination Program, U.S. Geological Survey, 12201 Sunrise Valley Drive, 417 National Center, Reston, VA 20192. Telephone: 703-648-6810; Fax: 703-648-5644; e-mail: tjohnson@usgs.gov.

SUPPLEMENTARY INFORMATION: This meeting is open to the public. Up to a half hour will be set aside for public comment. Persons wishing to make a brief presentation (up to 5 minutes) are asked to provide a written request with a description of the general subject to Ms. Johnson at the above address no later than noon, March 25, 2002. It is requested that 40 copies of a written statement be submitted at the time of the meeting for distribution to members of the ACWI and placement in the official file. Any member of the public may submit written information and (or) comments to Ms. Johnson for distribution at the ACWI Meeting.

Dated: February 26, 2002.

Katherine Lins,

Senior Staff Scientist.

[FR Doc. 02-5843 Filed 3-11-02; 8:45 am]

BILLING CODE 4310-Y7-M

DEPARTMENT OF JUSTICE

Antitrust Division

[Civil No. 01-01237 GK]

Public Comments and Response on Proposed Final Judgment in United States v. 3D Systems Corp., et al.

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), the United States of America hereby publishes below the five comments received on the proposed Final Judgment in United States v. 3D

Systems Corporation, et al., Civil Action No. 01-01237 GK, filed in the United States District Court for the District of Columbia, together with the United States' response to the comments.

Copies of the comments and response are available for inspection in Room 215 of the U.S. Department of Justice, Antitrust Division, 325 7th Street, NW., Washington, DC 20530, Telephone: (202) 514-2481, and at the office of the Clerk of the United States District Court for the District of Columbia, E. Barrett Prettyman United States Courthouse, Room 1225, 333 Constitution Avenue, NW., Washington, DC 20001. Copies of any of these materials may be obtained upon request and payment of a copying fee.

Constance K. Robinson,
Director of Operations.

United States District Court for the District of Columbia

[Civil No.: 1:01CV01237 (GK)]

United States of America, Plaintiff, v. 3D Systems Corporation and DTM Corporation, Defendants; Plaintiff's Response to Public Comments

The United States, pursuant to the Antitrust Procedures and Penalties Act ("APPA"), 15 U.S.C. 16(b)-(h), hereby responds to the five public comments received regarding the proposed Final Judgment in this case.

I. Background

On June 6, 2001, the United States filed a Complaint alleging that the proposed acquisition of DTM Corporation ("DTM") by 3D Systems Corporation ("3D") would substantially lessen competition in violation of Section 7 of the Clayton Act, 15 U.S.C. 18.

The Complaint alleges that 3D and DTM are two of only three firms that produce industrial rapid prototyping ("RP") systems in the United States. Stereolithography ("SL") technology, utilized by 3D, forms a three-dimensional object through radiation from a liquid, photocurable material. DTM's RP systems use laser sintering ("LS") technology to heat and form a sinterable powder into a three-dimensional form. Both 3D and DTM hold extensive patent portfolios related to RP systems production. These patents have prevented firms that sell RP systems abroad from competing in the United States. The Complaint alleges that the transaction will substantially lessen competition in the development, production and sale of industrial RP systems in the United States, thereby harming consumers. Accordingly, the Complaint asks the Court to issue (1) a judgment that the proposed acquisition of DTM by 3D would violate section 7 of the Clayton Act, 15 U.S.C. 18; and (2) a permanent injunction that would prevent defendants from carrying out the acquisition or otherwise combining their operations.

After this suit was filed, the United States and defendants reached a proposed settlement that allowed 3D to complete its

acquisition of DTM, while preserving competition in the market for industrial RP systems by requiring defendants to license their RP-related patent portfolios. A Stipulation and proposed Final Judgment embodying the settlement were filed with the Court on August 17, 2001.

The proposed Final Judgment, also referred to as the "consent decree," orders 3D and DTM to grant a license to develop, manufacture and sell, and to supply any support or maintenance services for, products under the defendants' RP patent portfolios within a limited field of use matching either 3D's or DTM's technology. The licensee, referred to as the Acquirer, must be approved by the United States, and must be a firm that currently manufactures industrial RP systems, utilizing either the LS or SL technology. The defendants must complete the divestiture five (5) days after notice of entry of the Final Judgment by the Court. The United States may extend the time period for divestiture for up to sixty (60) days. If the defendants do not complete the divestiture within the prescribed period, the proposed Final Judgment provides that the Court will appoint a trustee to accomplish the divestiture.

The United States and the defendants have stipulated that the proposed Final Judgment may be entered after compliance with the APPA. Entry of the proposed Final Judgment would terminate this action, except that the Court would retain jurisdiction to construe, modify, or enforce the provision of the proposed Final Judgment and to punish violations thereof. In compliance with the APPA, the United States filed a Competitive Impact Statement ("CIS") on September 4, 2001. The proposed Final Judgment and the CIS were published in the **Federal Register** on September 26, 2001, and the *Washington Post* during the period September 17-23, 2001. In light of the recent disruptions to mail delivery, the United States published a supplemental notice in the **Federal Register** on December 21, 2001 and in the *Washington Post* from December 20-26, 2001, extending the comment period by fifteen days. The comment period has now expired, with the United States having received public comments from Aaroflex, Inc., Accelerated Technologies, Inc., Advanced Manufacturing & Engineering Services, Advanced Prototyping, Inc. and EOS GmbH Optical Systems, which are annexed hereto as Exhibits 1 through 5.

II. Response to the Public Comments

A. Legal Standard Governing the Court's Public Interest Determination

The Tunney Act directs the Court to determine whether entry of the proposed Final Judgment "is in the public interest." 15 U.S.C. 16(e). In making that determination, the "court's function is not to determine whether the resulting array of rights and liabilities is one that will best serve society, but only to confirm that the resulting settlement is within the reaches of the public interest." *United States v. Western Elec. Co.*, 993 F.2d 1572, 1576 (D.C. Cir.), cert. denied, 510 U.S. 984 (1993) ("Western Electric").

The Court's role under the APPA is limited to reviewing the remedy in relationship to