

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ALIMENTATION COUCHE-TARD INC.,

and

CROSSAMERICA PARTNERS LP,

Defendants

Civil Action No.

PLAINTIFF'S MOTION FOR ENTRY OF FINAL JUDGMENT

Plaintiff NALBDC 0.1 d1 0.14 (F)99.11(in)2.8 | Tr 0.14 ((in)2.8 difNALBein)2.8 CALm2 (.9 (n
Alimentation CoucheTard Inc. ("CoucheTard") and CrossAmerica Partners LP
("CAPL"). By agreement of the parties, the Final Judgment against CoucheTard and
CAPL, authorized by Sections 15 and 16(a)(1) of the Federal Trade Commission Act, 15
U.S.C. §§ 45(l) and 56(a)(1), provides for the payment by Defendants of penalties
totaling three million five hundred thousand United States dollars (\$3,500,000). The
parties have agreed in the Stipulation that the Final Judgment may be entered on the motion
of either party.

¹ Settlement of this proceeding is not subject to the notification requirements of the Antitrust Procedures and Penalties Act (Unney Act), 15 U.S.C. § 16(b)-(h), because this is not a civil proceeding brought by or on behalf of the United States under the antitrust laws.

BACKGROUND

The Commission has filed this act pursuant to its above-cited authority to seek relief for violations of its final administrative orders which were entered with Defendants' consent. As alleged in the Complaint, Defendants violated the Commission's Decision and Order issued in 2018 in Docket No. 18-035 ("Order") by failing to divest ten retail fuel and convenience store properties ("Retail Fuel Assets") by the deadline contained in the Order. Defendants also failed to provide complete and detailed information about their efforts to divest the Retail Fuel Assets in their compliance reports. In addition, Defendants violated the related Order to Maintain Assets issued by the Commission by failing to maintain the operations of the divestiture property located in Hibbing, Minnesota ("Hibbing location"). Finally, Defendants failed to provide complete and detailed information about their efforts to maintain the operations of the Hibbing location in their compliance reports, and failed to timely notify the Commission that the Hibbing location had ceased operations prior to divestiture. Following an investigation by the Commission, Defendants and the Commission reached a settlement of the Complaint allegations with the attached stipulation for the entry of a Final Judgment to pay civil penalties. The penalty will both penalize and deter Defendants from any future violations of Commission orders and will deter similarly situated respondents from violating the Commission's orders.

Docket No. G4635. Section ~~5~~ of the FTC Act, 15 U.S.C. §~~45~~ authorizes the imposition of civil penalties

Commission orders, that the Commission requires compliance with, and violations of Commission orders carry serious consequences. It will