

Revised Final Judgment adds a new Section V(G) and revises Sections V (A), (B), (C), and (F).

The addition of Section V(G) is the primary basis for submitting the Revised Final Judgment. Section V(G) permits VSP to implement the reimbursement methodologies of any Medicare program or any state Medicaid program that it may administer. VSP acts as the agent for those programs in several states, but, in negotiating the proposed Final Judgment, VSP simply overlooked the Final Judgment's possible restriction upon its ability to carry out its obligations to those governmental programs. Section V(G) of the proposed Revised Final Judgment, therefore, makes clear that nothing in the Judgment should be construed to prevent VSP from gathering fee information required by Medicare or Medicaid, while precluding VSP from using that fee information in setting the fees that VSP pays its panel doctors for providing services to VSP patients not covered by Medicare or Medicaid programs.

Sections V (A), (B), (C), and (F) of the proposed Revised Final Judgment have been changed to reflect that VSP will no longer maintain the option, contained in the original proposed Final Judgment, to calculate the payments made to its panel doctors based on a doctor's modal or median fee and to collect and, if warranted, verify the accuracy of, the fee data from its panel doctors needed to make such calculations. Pursuant to revised Sections V (A), (B), (C) and (F), VSP will now merely retain the option of calculating the fees that it pays panel doctors based on their usual and customary fees, and it will no longer be permitted to request panel doctors annually to report "sufficient information" or, if warranted, verify the accuracy of the reported information, to enable VSP "to calculate" a doctor's modal or median fee. Rather, VSP will simply be permitted to ask each panel doctor to report annually only the doctor's usual and customary fees before any discounts are applied, and it will be allowed, if warranted, to verify only that fee information. These changes will substantially reduce both the level of detail of fee information that VSP will be permitted to obtain routinely from its panel doctors and the resultant reporting requirements it may impose on VSP panel doctors.

VSP requested these changes because of difficulties encountered during the past several months in trying to calculate the modal and median fees of its panel doctors pursuant to the terms of the original proposed Final Judgment. Based on that experience, VSP has

concluded that it does not routinely need to obtain more detailed fee information from its panel doctors than an annual report of each doctor's usual and customary fees, as now provided by Sections V (A) and (B) of the proposed Revised Final Judgment. The Government is amendable to making these requested changes because they narrow the scope of activities permitted by VSP under the Final Judgment and raise no competitive concerns.

### III

#### *Procedures Available for Modification of the Proposed Revised Final Judgment*

As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed Revised Final Judgment should be modified may submit written comments to Gail Kursh, Chief; Professions & Intellectual Property Section/Health Care Task Force; Department of Justice; Antitrust Division; 600 E Street, N.W.; Room 9300; Washington, D.C. 20530, within the 60-day period provided by the Act. Comments received, along with comments already received on the previously published Competitive Impact Statement, and the Government's responses to them, will be filed with the Court and published in the Federal Register. All comments will be given due consideration by the Department of Justice, which remains free, pursuant to Paragraph 2 of the Stipulation, to withdraw its consent to the proposed Revised Final Judgment at any time before its entry if the Department should determine that some modification of the Judgment is necessary to the public interest. The proposed Revised Final Judgment itself provides that the Court will retain jurisdiction over this action, and that the parties may apply to the Court for such orders as may be necessary or appropriate for the modification, interpretation, or enforcement of the Judgment.

### IV

#### *Determinative Documents*

No materials and documents of the type described in Section 2(b) of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b), were considered in formulating the proposed Revised Final Judgment. Consequently, none are filed herewith.

Dated: \_\_\_\_\_  
Respectfully submitted,

Steven Kramer

Richard S. Martin,  
*Attorneys, Antitrust Division, U.S. Dept. of Justice, 600 E Street, N.W., Room 9420, Washington, D.C. 20530, (202) 307-0997.*

In the United States District Court for the District of Columbia

United States of America, Plaintiff, vs.  
Vision Service Plan, Defendant.

[Case No. 1:94CV02693 TPJ]

#### Certificate of Service

I certify that I caused copies of the Revised Final Judgment, Revised Competitive Impact Statement and Superseding Stipulation to be served on October \_\_\_\_, 1995, by Federal Express to: Barclay L. Westerfeld, General Counsel, Vision Service Plan, 3333 Quality Drive, Rancho Cordova, California 95670, and by courier to: John J. Miles, Ober, Kaler, Grimes & Shriver, 1401 H Street, NW., Fifth Floor, Washington, DC 20005-2110.

Dated: \_\_\_\_\_.

Steven Kramer,  
*Attorney, Antitrust Division, Department of Justice, 600 E Street, NW., Room 9420, Washington, DC 20530, (202) 307-1029.*

[FR Doc. 95-27939 Filed 11-9-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Consortium for Intelligent Large Area Processing**

Notice is hereby given that, on May 23, 1995, pursuant to Section 6(a) of the national Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Consortium for Intelligent Large Area Processing ("CILAP") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of a Joint Research and Development Program. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties to the Joint Program are: The Dow Chemical Company, Midland, MI; Radiant Technology Corporation, Anaheim, CA; FAS Technologies, Inc., Dallas, TX; ACSIST Associates, Inc., Minneapolis, MN; and MicroModule Systems, Inc., Cupertino, CA.

The objectives of the program are to engage in advanced research and development with the intent of developing demonstrable technology for the manufacture of multichip module packaging via intelligent large area processing and transferring this technology to multichip module foundries, thereby allowing them to achieve lower manufacturing costs.

Constance K. Robinson,

*Director of Operations, Antitrust Division.*

[FR Doc. 95-27940 Filed 11-9-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Message Oriented Middleware Association**

Notice is hereby given that, on May 15, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Message Oriented Middleware Association ("MOMA") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties to the Joint Venture are: Apertus/Systems Strategies, Melville, NY; Applied Communications, Inc., Omaha, NE; AT&T GS, San Diego, CA; Covia Technologies, Rosemont, IL; Digital Equipment Corporation, Rocky Hill, CT; Early, Cloud & Company, Middletown, RI; IBM UK Laboratories, Ltd., Hampshire, UK; LEGENT Corporation, Herndon, VA; Momentum Software, Needham, MA; Motorola, Inc., Glen Rock, NJ; Novell, Inc., Summit, NJ; PeerLogic, Inc., San Francisco, CA; SOFTWARE AG, Uhlandstrasse, Darmstadt, GERMANY; SunSoft, Inc., Mountain View, CA; Compuware, Los Gatos, CA; National Securities Clearing Corporation, New York, NY; and Liberty Mutual Insurance, Portsmouth, NH.

The objectives of the venture are to promote message passing and queuing technology that provides interoperability for peer-to-peer and client/server computing applications.

Constance K. Robinson,

*Director of Operations, Antitrust Division.*

[FR Doc. 95-27941 Filed 11-9-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Network Management Forum**

Notice is hereby given that, on August 7, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), the Network Management Forum ("the Forum") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions to its membership. The additional notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the identities of the new members to the venture are as follows: Atlantech Technologies, Ltd., Glasgow, SCOTLAND; and Nexus Telecom AG, Hombrechtikon, SWITZERLAND are Corporate Members. CITR PTY Limited, St. Lucia, Queensland, AUSTRALIA; and Nuvo Network Management, Ottawa, Ontario, CANADA are Associate Members. ClearSystems, Inc., Irving, TX; FINATEL, Santa Rita do Sapucaí, BRAZIL; International Centers for Telecommunication Technology, Inc., Terre Haute, IN; OpenCon Systems, Inc., Piscataway, NJ; Q3 Consulting Ltd., Valbonne Village, FRANCE; University College London, London, UNITED KINGDOM; and the University of Missouri at Kansas City, Kansas City, MO are Affiliate Members.

No other changes have been made since the last notification filed with the Department, in either the membership or planned activity of the group research project. Membership in this group research project remains open, and the Forum intends to file additional written notifications disclosing all changes in membership.

On October 21, 1988, the Forum filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to Section 6(b) of the Act on December 8, 1988 (53 FR 49615).

The last notification was filed with the Department on June 6, 1996. A notice was published in the Federal Register pursuant to Section 6(b) of the Act on June 28, 1995 (60 FR 33433).

Constance K. Robinson,

*Director of Operations, Antitrust Division.*

[FR Doc. 95-27942 Filed 11-9-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—NIST ATP Joint Venture**

Notice is hereby given that, on June 13, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), the NIST ATP Joint Venture has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of Cooperative Agreement No. 70NANB5H1024. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are: Kestrel Development Corporation, Palo Alto, CA; University of Southern California, Los Angeles, CA; SRI International, Menlo Park, CA; and Stanford University, Stanford, CA.

The purpose of the NIST ATP Joint Venture is to perform preproduct stage research and development on a complete suite of software tools based on semantic descriptions of software capabilities and automated "theorem-provers" to enable fundamentally new capabilities in automated software composition.

Constance K. Robinson,

*Director of Operations, Antitrust Division.*

[FR Doc. 95-27943 Filed 11-9-95; 8:45 am]

BILLING CODE 4410-01-M

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Diesel Particulate NO<sub>x</sub> Aftertreatment Using Plasma or Corona Discharges Cooperative Research Project**

Notice is hereby given that, on July 24, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301, *et seq.* ("the Act"), Southwest Research Institute, ("SwRI"), on behalf of the Participants in the Diesel particulate/NO<sub>x</sub> Aftertreatment Using Plasma or Corona Discharges Cooperative Research Project has filed written notifications simultaneously with the Attorney General and with the Federal Trade Commission disclosing (1) the identities of the parties to the Project, and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of