

Chapter 1 : Principles of Epidemiology: Lesson 2, Section 8|Self-Study Course SS|CDC

Section 8 Lessons , Investigation 8 Lesson Page TEKS Strands Focus 71 â€ Rectangular Prisms G, UP 72 â€ Counting Cubes Activity Counting Cubes M, UP.

Nonmerger With some exceptions, Section 8 of the Clayton Act prohibits the same individual from serving as an officer or director of two competing corporations. Indeed an interlock may occur even if different individuals serve on the respective Boards; both the FTC and DOJ have brought enforcement actions involving indirect interlocks. But near the end of the 20th century, advocates for reform argued that the low bar for interlocks was discouraging qualified individuals from serving on boards even when the risk to competition was low. However, if the jurisdictional thresholds are met and no safe harbor applies, the ban on interlocks remains absolute: In addition, there are three de minimis exceptions to the interlock ban that permit horizontal interlocks for two companies with few overlapping products: This is especially true if either or both firms are changing in ways that result in more of their business competing with the interlocked competitor. Depending on the size of the company, even small increases in competitive sales or decreases in overall sales may push a company outside the safe harbors. Note that these thresholds and exemptions only apply to horizontal interlocks that would otherwise violate Section 8. Other statutes, such as Section 1 of the Sherman Act, still apply without exception to limit collusive behavior or unreasonable information sharing among competitors, including when such conduct occurs in the context of an exempt interlock. For example, Section 5 can reach interlocks involving banks, which are exempt from Section 8, and competing non-bank corporations. In re Perpetual Fed. Lessons from Section 8 enforcement The Commission has generally relied on self-policing to prevent Section 8 violations, and as a result, litigated Section 8 cases are rare with none construing the amendments. In recent Section 8 investigations, once staff raised concerns, an individual agreed to step down from one company in order to eliminate the interlock. A resignation that eliminates the interlock may effectively bring each company back into compliance with Section 8 and may lead the Commission to determine that there is no need for any further action where there is little risk of recurrence. Section 8 does not provide for civil penalties or other monetary relief. Note, also, that Section 8 b provides a grace period of one year for an interlocking director or officer to resign if there is a change that renders him or her ineligible to serve on both boards. Recent experience with reviewing interlocks revealed certain practices that could help companies avoid interlocks that run afoul of Section 8. These steps could also help companies avoid creating potential Section 8 issues as part of a proposed acquisition that grants management rights that could, if exercised, create an illegal interlock. As required by the amendments, the FTC announces adjustments to the minimum thresholds for Section 8 each January , to take effect immediately. If your company relies on staying below the minimum size threshold, be sure to do an annual assessment of your company capital, surplus, and undivided profits and compare those figures to the adjusted amount. Because the thresholds adjust to changes in GNP, some years the threshold goes up and some years it goes down. Track new products or offerings for each interlocked company that may create new areas of competitive sales. But courts have rejected the argument that this is the same as the market definition analysis found in other antitrust cases. Federal Trade Commission , the Ninth Circuit found that especially in emerging industries, competition in the Section 8 sense can encompass more than an assessment of the cross-elasticity of demand for existing products: In a developing industry in which product variation is just beginning and customer needs are not yet standardized, it is unlikely that two companies will produce products nearly equivalent in their ability to satisfy the needs of a range of customers. Nonetheless, these companies compete. Their competition consists of the struggle to obtain the patronage of the same prospective customers, accompanied by representations of a willingness to modify their respective products. Competition also consists of efforts to make a sale, even if neither succeeds in persuading the buyer to purchase. Their willingness to respond to requests regarding credit verification and EFT systems, and in many instances aggressively to pursue the same prospective purchaser, indicates that neither company perceived the range of competitive possibilities in terms as narrow as those advanced by petitioners. This broad view of competitive sales that would trigger Section 8 review has not been challenged

or revisited by courts. In fact, in , Congress considered but rejected amendments that would have required a more rigorous Section 7-style market analysis. Companies need to be aware of changes not only in their own competitive portfolio but also those of any firms with which there is an existing interlock. Using public information to keep tabs on offerings of interlocked firms may reveal new areas of competitive sales that will need to be assessed and possibly added in to calculations of relative sales levels. With so many changing data points, companies need a plan for monitoring changes in the market. Be sure to check with employees who are knowledgeable about market participants and review documents that track market developments. An accurate assessment of competitive sales should include review of ordinary course business documents that reveal how closely the interlock companies compete, as well as discussions with front-line employees who monitor the competitive offerings of the interlocked competitor. For instance, in a recent matter, high-level executives indicated that certain products did not compete with the interlocked company; company documents we obtained pursuant to compulsory process showed otherwise. As a matter of prosecutorial discretion, the Commission took no action in that matter because the companies involved had attempted to comply with Section 8, removed the interlock upon learning of our investigation, and improved their compliance efforts. Nevertheless, the interlocked companies were subject to a significant investigation. Relying solely on the representations of the interlocked firm may not be sufficient to maintain compliance with Section 8 safe harbors. Indeed, it may be necessary for outside counsel to share information on a confidential basis to ascertain that an unlawful interlock is not created. We will not necessarily excuse a company from its obligation to comply with Section 8 merely because it relied on representations of the interlocked company. Take care when acquisitions create interlocks. Acquisition agreements sometimes include a provision that grants one party the ability to appoint a board member to another firm, and occasionally, this right, if exercised, would create an interlock that would violate Section 8. Even before the rights are exercised, such provisions may raise antitrust concerns. DOJ, in its press release announcing the changes, noted that Section 8 requires that firms that compete remain independent. Because the two firms would continue to compete after completing the proposed transaction, the revised agreement left ICAP without an ownership stake or the right to appoint a member to the Tullett Prebon board. Sometimes, there are antitrust concerns with the underlying merger as well as any potential interlock. For instance, in *United States v. CommScope* competed with Andes in the U. The proposed purchase agreement with Andrew also violated Section 8 by giving CommScope the ability to appoint Andes board members, a firm with sufficient competitive sales to trigger Section 8. All the more reason to make Section 8 compliance part of an annual audit.

Chapter 2 : If Stones Could Speak | LearnZillion

MARCH: Section 8: Lessons , Investigation 8, Concepts G Percents, Decimals & Fractions, Greatest Common Factor, Parallelograms, Area of a Triangle, Patterns & Functions, 2- Step Equations Section 9 Lessons , Focus on Concepts H & I Simplify Improper Fractions.

Geometric mean Geometric standard In statistics, the arithmetic mean is the most commonly used measure of central location, and is the measure upon which the majority of statistical tests and analytic techniques are based. The standard deviation is the measure of spread most commonly used with the mean. But as noted previously, one disadvantage of the mean is that it is affected by the presence of one or a few observations with extremely high or low values. The mean is "pulled" in the direction of the extreme values. You can tell the direction in which the data are skewed by comparing the values of the mean and the median; the mean is pulled away from the median in the direction of the extreme values. If the mean is higher than the median, the distribution of data is skewed to the right. If the mean is lower than the median, as in the right side of Figure 2. The advantage of the median is that it is not affected by a few extremely high or low observations. Therefore, when a set of data is skewed, the median is more representative of the data than is the mean. For descriptive purposes, and to avoid making any assumption that the data are normally distributed, many epidemiologists routinely present the median for incubation periods, duration of illness, and age of the study subjects. Two measures of spread can be used in conjunction with the median: Although many statistics books recommend the interquartile range as the preferred measure of spread, most practicing epidemiologists use the simpler range instead. The mode is the least useful measure of central location. Some sets of data have no mode; others have more than one. The most common value may not be anywhere near the center of the distribution. Modes generally cannot be used in more elaborate statistical calculations. Nonetheless, even the mode can be helpful when one is interested in the most common value or most popular choice. The geometric mean is used for exponential or logarithmic data such as laboratory titers, and for environmental sampling data whose values can span several orders of magnitude. The measure of spread used with the geometric mean is the geometric standard deviation. Analogous to the geometric mean, it is the antilog of the standard deviation of the log of the values. The geometric standard deviation is substituted for the standard deviation when incorporating logarithms of numbers. Examples include describing environmental particle size based on mass, or variability of blood lead concentrations. Summarizing Data Consider the smoking histories of persons Table 2.

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Chapter 6 : Have a plan to comply with the bar on horizontal interlocks | Federal Trade Commission

Introduction to Section 8 Jehovah blessed Solomon with great wisdom and gave him the privilege of building the temple,

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but he gradually left Jehovah. If you are a parent, explain to your child how false worshippers turned Solomon away from God.