

Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of a correction to the definition of cultural items previously under the control of the Field Museum of Natural History, Chicago, IL.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that had control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

This notice corrects the NAGPRA category of the cultural items published in a Notice of Intent to Repatriate in the **Federal Register** on August 24, 2007 (72 FR 48672–48675). After the Notice of Intent to Repatriate was published, the Field Museum staff determined that the objects meet the NAGPRA definitions for sacred objects and objects of cultural patrimony. Transfer of control of the items in this correction notice has occurred.

#### Correction

In the **Federal Register** (72 FR 48672–48675), paragraph 1, sentence 1 is corrected by substituting the following sentence:

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items in the possession of the Field Museum of Natural History (Field Museum), Chicago, IL, that meet the definition of sacred objects and objects of cultural patrimony under 25 U.S.C. 3001.

In the **Federal Register** (72 FR 48672–48675), paragraph 23, sentence 1 is corrected by substituting the following sentence:

Officials of the Field Museum of Natural History have determined that the 56 cultural items described in this notice are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents, and that the 56 cultural items described above have ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual.

#### Additional Requestors and Disposition

Transfer of control of the cultural items in this notice occurred after the 30-day waiting period expired for the original Notice of Intent to Repatriate. For questions related to this notice, contact Helen Robbins, Repatriation Director, Field Museum of Natural History, 1400 South Lake Shore Drive,

Chicago, IL 60605, telephone (312) 665–7317.

The Field Museum of Natural History is responsible for notifying the Apache Tribe of Oklahoma; Fort McDowell Yavapai Nation, Arizona; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; and the Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona, that this notice has been published.

Dated: June 12, 2013.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. 2013–19381 Filed 8–9–13; 8:45 am]

**BILLING CODE 4312–50–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–874]

### Certain Products Having Laminated Packaging, Laminated Packaging, and Components Thereof; Commission Decision To Review an Initial Determination; Termination of the Investigation With a Finding of No Violation of Section 337

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 15), which, *inter alia*, found that the complainant did not satisfy the economic prong of the domestic industry requirement. On review, the Commission has determined to reverse the ALJ's findings regarding the Commission's authority to direct the issuance of an early ID. The Commission has also determined that the complainant has not satisfied the economic prong of the domestic industry requirement. Accordingly, the investigation is terminated with a finding of no violation of section 337.

**FOR FURTHER INFORMATION CONTACT:** Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for

inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on March 28, 2013, based on a complaint and amended complaint filed by Lamina Packaging Innovations, Inc. of Longview, Texas ("Lamina") alleging a violation of section 337 by virtue of the infringement of certain claims of nine patents. 78 FR 19,007. The subject products are certain laminated packaging materials, products packaged with such materials, and components thereof, and are alleged to infringe certain claims of U.S. Patent Nos. 6,207,242 ("the '242 patent") and 7,348,067 ("the '067 patent"). The notice of investigation named fifteen respondents: Remy Cointreau USA, Inc. of New York, New York; Pernod Ricard USA LLC of Purchase, New York; Moët Hennessy USA of New York, New York; Champagne Louis Roederer of Reims, France; Maisons Marques & Domaines USA Inc. of Oakland, California; Freixenet USA of Sonoma, California; L'Oreal USA, Inc. of New York, New York ("L'Oreal"); Hasbro, Inc. of Pawtucket, Rhode Island; Cognac Ferrand USA, Inc. of New York, New York; WJ Deutsch & Son of White Plains, New York; Diageo North America, Inc. of Norwalk, Connecticut; Sidney Frank Importing Co., Inc. of New Rochelle, New York ("Sidney Frank"); Beats Electronics LLC of Santa Monica, California; and Camus Wine & Spirits Group of Cognac, France ("Camus"). Camus, Sidney Frank, and L'Oreal have since been terminated from this investigation on the basis of settlement agreements with Lamina. Notice at 2 (May 30, 2013) (terminating Camus and Sidney Frank); Notice at 2 (July 2, 2013) (terminating L'Oreal).

The Commission's notice of institution directed the presiding Administrative Law Judge ("ALJ") to conduct an early hearing and to issue an early decision on whether Lamina "has satisfied the economic prong of the

domestic industry requirement.” 78 FR 19,008.

The ALJ conducted a hearing on the domestic-industry issue on May 16–17, 2013. On July 5, 2013, the ALJ issued an initial determination, which found that Lamina had not demonstrated the existence of a domestic industry as required by 19 U.S.C. 1337(a)(2), (a)(3). Order No. 15 (“the ID”).

On July 12, 2013, the parties filed petitions for review. On July 17, 2013, the parties filed replies to the others’ petitions.

The Commission has determined to review the ID. On review, the Commission has determined to reverse the ALJ’s findings regarding the Commission’s authority to direct the issuance of an early ID. The Commission has also determined that the complainant has not satisfied the economic prong of the domestic industry requirement. Accordingly, the investigation is terminated with a finding of no violation of section 337. The Commission’s reasoning in support of its determinations will be set forth more fully in a forthcoming opinion.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in sections 210.42–210.45 of the Commission’s Rules of Practice and Procedure (19 CFR 210.42–210.45).

By order of the Commission.

Issued: August 6, 2013.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013–19403 Filed 8–9–13; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### **United States v. Chiropractic Associates, Ltd. of South Dakota; Public Comment and Response on Proposed Final Judgment**

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h), the United States hereby publishes below the comment received on the proposed Final Judgment in *United States v. Chiropractic Associates, Ltd. of South Dakota*, Civil Action No. 13–CV–4030–LLP, which was filed in the United States District Court for the Southern Division of South Dakota on August 5, 2013, together with the response of the United States to the comment.

Copies of the comment and the response are available for inspection at

the Department of Justice, Antitrust Division, 450 Fifth Street NW., Suite 1010, Washington, DC 20530 (telephone: 202–514–2481), on the Department of Justice’s Web site at <http://www.usdoj.gov/atr>, and at the Office of the Clerk of the United States District Court for the Southern Division of South Dakota, 225 South Pierre Street, Pierre, SD 57501. Copies of any of these materials may also be obtained upon request and payment of a copying fee.

**Patricia A. Brink,**

*Director of Civil Enforcement.*

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION

UNITED STATES OF AMERICA, Plaintiff,

v.

CHIROPRACTIC ASSOCIATES, LTD. OF SOUTH DAKOTA,

Defendant.

CASE NO. CV 13–04030

#### **RESPONSE OF PLAINTIFF UNITED STATES TO PUBLIC COMMENT ON THE PROPOSED FINAL JUDGMENT**

Pursuant to the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)–(h) (“APPA” or “Tunney Act”), the United States hereby files the single public comment concerning the proposed Final Judgment in this case and the United States’ response to that comment. After careful consideration of the comment, the United States continues to believe that the proposed Final Judgment will provide an effective and appropriate remedy for the antitrust violations alleged in the Complaint. The United States will move the Court for entry of the proposed Final Judgment after the public comment and this response have been published in the **Federal Register**, pursuant to 15 U.S.C. § 16(d).

#### **I. PROCEDURAL HISTORY**

On April 8, 2013, the United States filed a civil antitrust Complaint against Defendant Chiropractic Associates, Ltd. of South Dakota (“CASD”) alleging that CASD negotiated at least seven contracts with payers that set prices for chiropractic services on behalf of CASD’s members in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1. CASD’s actions raised prices for chiropractic services and decreased the availability of chiropractic services in South Dakota.

Simultaneously with the filing of the Complaint, the United States filed a proposed Final Judgment and a

Stipulation signed by the United States and CASD consenting to entry of the proposed Final Judgment after compliance with the APPA, 15 U.S.C. § 16. The proposed Final Judgment would prevent the recurrence of the violations alleged in the Complaint by enjoining the Defendant from jointly determining prices and negotiating contracts with payers.

Pursuant to the requirements of the APPA, the United States (1) filed its Competitive Impact Statement (“CIS”) with the Court on April 8, 2013; (2) published the proposed Final Judgment and CIS in the **Federal Register** on April 17, 2013 (*see* 78 Fed. Reg. 22901); and (3) had summaries of the terms of the proposed Final Judgment and CIS, together with directions for the submission of written comments relating to the proposed Final Judgment, published in (a) *The Washington Post* for seven days beginning on April 15, 2013, and ending on April 21, 2013, and (b) *The Argus Leader* for seven days beginning on April 15, 2013 and ending on April 21, 2013. The Defendant filed the statement required by 15 U.S.C. § 16(g) on April 18, 2013. The sixty-day public comment period ended on June 20, 2013. One comment was received, as described below and attached hereto.

#### **II. THE INVESTIGATION AND PROPOSED RESOLUTION**

On June 7, 2011, the United States Department of Justice (the “Department”) opened its investigation into the conduct at issue. The Department conducted a detailed investigation into CASD’s actions. As part of this investigation, the Department obtained and considered more than 240,000 documents.

From this investigation, the Department concluded that CASD’s conduct violated Section 1 of the Sherman Act, 15 U.S.C. § 1. As more fully explained in the CIS, the Stipulation and proposed Final Judgment in this case are designed to prevent the recurrence of the violations alleged in the Complaint and restore competition in the sale of chiropractic services in South Dakota.

Specifically, Section IV of the proposed Final Judgment would enjoin CASD from:

(A) providing, or attempting to provide, any services to any physician regarding such physician’s actual, possible, or contemplated negotiation or contracting with any payer, or other dealings with any payer;

(B) acting, or attempting to act, in a representative capacity, including as a messenger or in dispute resolution (such as arbitration);