

protection may be asserted under Rule 26(c)(1)(G) of the Federal Rules of Civil Procedure, and the Defendant marks each pertinent page of such material, "Subject to claim of protection under Rule 26(c)(1)(G) of the Federal Rules of Civil Procedure," then the United States shall give the Defendants ten (10) calendar days notice prior to divulging such material in any legal proceeding (other than a grand jury proceeding). The United States will provide such notice electronically to an individual designated by Google to receive such notices.

### VIII. Retention of Jurisdiction

This Court retains jurisdiction to enable any party to this Final Judgment to apply to this Court at any time for further orders and directions as may be necessary or appropriate to carry out or construe this Final Judgment, to modify any of its provisions, to enforce compliance, and to punish violations of its provisions.

### IX. Expiration of Final Judgment

Unless modified by this Court, this Final Judgment shall expire five years from the date of its entry.

### X. Public Interest Determination

Entry of this Final Judgment is in the public interest. The parties have complied with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16, including making copies available to the public of this Final Judgment, the Competitive Impact Statement, and any comments thereon and the United States' responses to comments. Based upon the record before the Court, which includes the Competitive Impact Statement and any comments and response to comments filed with the Court, entry of this Final Judgment is in the public interest.

Court approval subject to procedures of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16.

United States District Judge.

[FR Doc. 2011-9020 Filed 4-13-11; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-74,364]

#### **International Business Machines (IBM), Sales and Distribution Business Unit, Global Sales Solution Department, Off-Site Teleworker in Centerport, New York; Notice of Affirmative Determination Regarding Application for Reconsideration**

By application dated November 29, 2011, by a petitioner requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of International Business Machines (IBM), Sales and Distribution Business Unit, Global Sales Solution Department, off-site teleworker, Centerport, New York (subject firm). The determination was issued on October 29, 2010. The Department's Notice of Determination was published in the **Federal Register** on November 17, 2010 (75 FR 70296). The workers supply computer software development and maintenance services for the Sales and Distribution Business Unit.

The negative determination was based on the findings that Criterion I has not been met because fewer than three workers were separated and further separations are not threatened.

With respect to Section 222(c) of the Act, the investigation revealed that Criterion (1) has not been met because fewer than three workers were separated and further separations are not threatened. The investigation also revealed that the group eligibility requirements under Section 222(f) of the Act, 19 U.S.C. 2272(f), have not been satisfied because the workers' firm has not been identified in an affirmative finding of injury by the International Trade Commission.

In the request for reconsideration, the petitioner alleged that the subject firm outsourced their job as well as 2,544 other IBM jobs to India.

The Department has carefully reviewed the request for reconsideration and the existing record, and has determined that there may have been a misinterpretation of the worker group. The Department will conduct further investigation to determine if the petitioning workers meet the eligibility requirements of the Trade Act of 1974, as amended.

### Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, on this 6th day of April 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-75,192, TA-W-75,192A]

#### **Core Industries, Inc., DBA Star Trac, Including On-Site Leased Workers From Aerotek, Helpmates, Mattson, and Empire Staffing, Irvine, CA and Core Industries, Inc., DBA Star Trac, Including On-Site Leased Workers From Aerotek, Helpmates, Mattson, and Empire Staffing, Murrieta, CA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on February 15, 2011, applicable to workers of Core Industries, Inc., DBA Star Trac, Irvine, California. The notice was published in the **Federal Register** on March 10, 2011 (75 FR 13230).

At the request of the company, the Department reviewed the certification for workers of the subject firm. The workers produce commercial fitness equipment.

The Murrieta, California location operated in conjunction with the Irvine, California location. Both locations were part of the overall production operation and were affected by the firm's acquisition of commercial fitness equipment from a foreign country.

Accordingly, the Department is amending the certification to include workers of the Murrieta, California location of Core Industries, Inc., DBA Star Trac, Irvine, California.

The amended notice applicable to TA-W-75,192 is hereby issued as follows:

All workers of Core Industries, Inc., DBA Star Trac, including on-site leased workers from Aerotek, Helpmates, Mattson, and