

Revised 2018 Jurisdictional Thresholds Under the HSR Act and For the Prohibition of Interlocking Directorates

January 26, 2018 | Client Update

Today, the Federal Trade Commission (FTC) announced revised Hart-Scott-Rodino Act (HSR) reporting thresholds under which transactions will be reportable only if, as a result of such transaction, the acquiring person will hold voting securities, assets, or non-corporate interests valued above \$84.4 million, compared to \$80.8 million in 2017. The newly adjusted HSR thresholds will apply to all transactions that close on or after the effective date, which is expected to be in late-February (the exact date will depend on when the changes are published in the Federal Register).

The FTC also announced revised thresholds above which companies are prohibited from having interlocking memberships on their boards of directors under Section 8 of the Clayton Act. The new Interlocking Directors thresholds are \$34,395,000 for Section 8(a)(1) and \$3,439,500 for Section 8(a)(2)(A). The new Section 8 thresholds become effective upon publication in the Federal Register.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

Arthur J. Burke

+1 212 450 4352
+1 650 752 2005
arthur.burke@davispolk.com

Arthur F. Golden

+1 212 450 4388
arthur.golden@davispolk.com

Ronan P. Harty

+1 212 450 4870
ronan.harty@davispolk.com

This communication, which we believe may be of interest to our clients and friends of the firm, is for general information only. It is not a full analysis of the matters presented and should not be relied upon as legal advice. This may be considered attorney advertising in some jurisdictions. Please refer to the firm's privacy notice for further details.

Related materials

[2018-01-26_revised_2018_jurisdictional_thresholds_under_hsr_act_for_prohibition_interlocking_directorates.pdf](#)