
**Statement of Chairman Pitofsky And Commissioners
Sheila F. Anthony And Mozelle W. Thompson**

First Databank

The remedy of disgorgement should be sought by the Commission in competition cases only in exceptional circumstances. Here, the allegations of the complaint - that the defendant acquired its only real competitor with the intent to monopolize the market, withheld documents from the government that would have disclosed that fact, and after achieving monopoly raised prices to consumers drastically - justifies that relief. The alternative, which would simply restore competition by divesting illegally acquired assets, is inadequate because it allows the respondent to walk off with profits gained as a result of its allegedly illegal behavior.