

STATE OF FLORIDA
Department of Legal Affairs
OFFICE OF THE ATTORNEY GENERAL
Tallahassee, Florida

ANTITRUST CIVIL INVESTIGATIVE DEMAND

TO: Marsh & McLennan Companies
c/o CT Corporation System, Registered Agent
1200 S. Pine Island Road
Plantation, FL 33324

No. 04-120

This antitrust civil investigative demand is issued pursuant to the Florida Antitrust Act of 1980, Section 542.28, Florida Statutes, in the course of an official investigation to determine whether there is, has been or may be a violation of **Sections 542.18 Florida Statutes (parts of the Florida Antitrust Act of 1980); or section 1 of the Sherman Antitrust Act (15 U.S.C. § 1)**, by conduct, activities or proposed action of the following nature:

possible contracts, combinations, or conspiracies in restraint of trade, or commerce which is for the purpose of or has the effect of (a) fixing, controlling or maintaining prices, rates, quotations or fees for insurance or (b) allocating or dividing customers or territories for insurance or (c) bid rigging.

INTERROGATORIES

You are required by this demand to answer the interrogatories on the Attachment and tender them to the custodians named below on or before **December 13, 2004**. Each interrogatory must be answered separately and fully in writing under oath, unless it is objected to, in which case the reasons for the objection must be stated in lieu of an answer. The answers must be submitted under a sworn certificate, in the form printed on the reverse side of this demand, executed by the person to whom this demand is directed or, if not directed to a natural person, by the person or persons responsible for answering each interrogatory.

PRODUCTION OF DOCUMENTS

You are required by this demand to produce all documentary material and other tangible evidence indicated in the Attachment that is in your possession, custody, or control, and to make it available for inspection and copying or reproduction by a custodian named below. Such production shall occur on **December 13, 2004** at the following location: **Office of the Attorney General, 107 West Gaines Street, 5th Floor, Tallahassee, Florida**. The production of documentary material in response to this demand must be made under sworn certificate, in the form printed on the reverse side of this demand, executed by the person to whom this demand is directed, or, if not directed to a natural person, by a person having knowledge of the facts and circumstances relating to such production.

For purposes of this investigation, the following are designated as the custodians and deputy custodians to whom the documentary material shall be made available:

Lizabeth Leeds and Christopher Hunt, Assistant Attorneys General Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, (850) 414-3600.

Your attention is directed to Sections 542.28(14) and 837.02, Florida Statutes, printed on the reverse side of this document.

Issued at Tallahassee, Florida, this 5th day of November, 2004.

CHARLES J. CRIST, Jr.
Attorney General

Countersigned: _____
GEORGE LEMIEUX
Deputy Attorney General

By: _____
PATRICIA A. CONNERS
Director, Antitrust Division

FORM OF CERTIFICATE OF COMPLIANCE

I/We have read the provisions of Section 542.28(14), Florida Statutes, and do hereby certify that all information required by Civil Investigative Demand No. 04-120 which is in the possession, custody, control, or knowledge of the person to whom the demand is directed has been submitted to a custodian named therein.

Signature _____

Title _____

Sworn to before me this ___ day of _____, 2004.

Notary Public

542.28 Civil Investigative Demand.

(14)(a) No person, knowing or having reason to believe that a demand pursuant to this section is pending, shall:

1. Alter, destroy, conceal, or remove any record, document, or thing with the purpose of impairing its verity or availability in such proceeding or investigation; or

2. Make, present, or use any record, document, or thing, knowing it to be false.

(b) Any person who violates any provision of this subsection is guilty of a felony of the third degree, punishable as provided in s.775.082, s.775.083, or s.775.084.

837.02 Perjury in official proceedings.-

(1) [W]hoever makes a false statement, which he or she does not believe to be true, under oath in an official proceeding in regard to any material matter, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

....

(3) Knowledge of the materiality of the statement is not an element of the crime of perjury under subsection (1) . . . and the defendant's mistaken belief that the statement was not material is not a defense.