

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-1849

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MARK LEVY,

Plaintiff-Appellant,

v.

STERLING HOLDING COMPANY, LLC., NATIONAL  
SEMICONDUCTOR CORPORATION, and FAIRCHILD  
SEMICONDUCTOR INTERNATIONAL, INC.,

Defendants-Appellees.

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On Appeal from the United States District Court  
for the District of Delaware

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BRIEF OF THE SECURITIES AND EXCHANGE  
COMMISSION, *AMICUS CURIAE*, IN SUPPORT OF  
THE POSITION OF THE APPELLEES

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## TABLE OF CONTENTS

	PAGE
INTEREST OF THE SECURITIES AND EXCHANGE COMMISSION .....	1
BACKGROUND .....	1
A. The Commission’s Rationale for Exempting, in Rule 16b-3(d), Acquisitions of Securities by Officers and Directors from the Issuer .....	2
B. The Commission’s Rationale for Exempting Reclassifications in Rule 16b-7 .....	4
C. This Court’s Decision in <i>Levy I</i> .....	7
D. The 2005 Clarifying Amendments .....	10
ARGUMENT .....	12
I. PLAINTIFF MISAPPREHENDS THE SCOPE OF THE COMMISSION’S EXEMPTIVE AUTHORITY .....	12
II. THE ADOPTION OF AMENDED RULE 16B-3(d) WAS WITHIN THE COMMISSION’S AUTHORITY .....	15
A. The Legislative History Shows that Section 16(b) Was Enacted Principally to Prevent the Abuse of Inside Information by Insiders in Their Market Transactions with the Investing Public, Rather than in Their Transactions with Issuers .....	16
B. Substantial Safeguards Exist Under the Rule to Prevent Abuse of Inside Information .....	22
III. THE ADOPTION OF AMENDED RULE 16b-7 WAS WITHIN THE COMMISSION’S AUTHORITY .....	23





























































































