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NEWS FOR IMMEDIATE RELEASE

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Wisconsin Department of Justice Joins Coalition and FTC in Filing Complaint to Block Merger of Major Playground Equipment Manufacturers

MADISON, Wis. — The Wisconsin Department of Justice (DOJ) is joining a coalition and the Federal Trade Commission (FTC) in filing a [lawsuit](#) to block PlayPower's acquisition of BCI Burke (Burke). The companies represent two of the largest makers of commercial outdoor playground equipment.

The coalition's complaint alleges the potential merger will drive up prices and decrease innovation and quality for equipment bought by schools, churches, parks and recreation departments, and other organizations across the country.

"Mergers that reduce competition can undermine innovation and lead to increased prices," said AG Kaul. "When we keep markets competitive, we protect consumers."

The coalition alleges in their complaint that the deal will significantly increase concentration in an already concentrated market and eliminate PlayPower and Burke's intense rivalry, which benefits playground customers through lower prices, better services, higher quality, and increased innovation. The coalition further explains this is problematic because playground prices are already quickly rising.

Today, five companies — including PlayPower and Burke — own more than a dozen playground equipment brands and hold 85 to 90 percent of playground equipment market share in the United States, according to the complaint. The proposed transaction would add the Burke brand to PlayPower's existing commercial outdoor playground portfolio, which includes Miracle Recreation Equipment Company and

Little Tikes Commercial and Playworld Systems Inc. — brands PlayPower previously acquired.

In addition to driving up prices, the coalition alleges in the complaint that the merger would likely lead to less innovation, poorer service, and lower-quality products. They allege the proposed acquisition could also have a negative impact on independent sales representatives who sell the companies' equipment, leading to lower commissions or worse service terms.

Joining Wisconsin DOJ and the FTC in filing this lawsuit are the attorneys general of Arizona, California, Colorado, Illinois, Nevada, North Carolina, Ohio, Pennsylvania, Tennessee, Texas, and Washington.