



Department of Justice

January 14, 1991

SUMMARY OF ANTITRUST ENFORCEMENT ACTIONS
FOR PUBLIC RELEASE
FOR WEEK OF MONDAY, JAN. 7, 1990 THROUGH FRIDAY, JAN. 11, 1991

1/7/91 U.S. v. Service Corporation International
Civil No. 91-0025 (D.D.C.)

A civil complaint was filed in U.S. District Court in the District of Columbia, at the request of the Federal Trade Commission, against Service Corporation International (SCI) to recover a civil penalty for violation of Section 7A of the Clayton Act, 15 U.S.C. § 18a, commonly known as the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (Hart-Scott-Rodino Act). The Hart-Scott-Rodino Act prohibits certain acquisitions of voting securities or assets until after a notification and report form has been filed with the Department of Justice and the Federal Trade Commission, and a waiting period has expired. SCI, which is a Texas corporation and has its principal offices in Houston, Texas, provides funeral and cemetery services. On December 30, 1986, SCI, through an agent, purchased all of the issued and outstanding stock of Centurion National Group, Inc. thereby giving SCI an aggregate total amount in excess of \$15 million. The complaint alleges that the defendant was in violation of the Hart-Scott-Rodino Act each day during the period beginning on December 30, 1986 and continuing through February 26, 1987, a total of 59 days. Under 15 U.S.C. § 18a(g)(1) any person who fails to comply with the Hart-Scott-Rodino Act shall be liable to the United States for a civil penalty of not more than \$10,000 for each day during which such person is in violation of the Hart-Scott-Rodino Act. The Department also filed a proposed consent decree that, if approved by the court, would terminate the suit.

1/8/91

U.S. v. Olin Corporation and Hodgdon Powder Company, Inc.
Civil No.: 91-2034-H-A (W.D. Tenn.)

A three-count civil complaint was filed in the Western District of Tennessee against Olin Corporation, of Stamford, Connecticut, and Hodgdon Powder Company, Inc., of Shawnee Mission, Kansas, seeking recovery of damages for their involvement in a conspiracy to rig bids for surplus smokeless small arms powders in August 1986. Count One alleged a violation of the False Claims Act (31 U.S.C. §§ 3729-3732); Count Two alleged a violation of the Federal Property and Administrative Services Act (40 U.S.C. § 489(b); and Count Three alleged a violation of Section 4A of the Clayton Act (15 U.S.C. § 15a). The complaint was dismissed pursuant to a settlement agreement whereby the defendants agreed to pay a total of \$250,000 in civil damages.

1/10/91

U.S. v. L.J. Earnest, Inc.
Criminal No.: CR91-50002 (W.D. La.)

Two-count indictment was filed in U.S. District Court in Shreveport, Louisiana, charging L.J. Earnest, Inc., of Bossier City, Louisiana, with participating in a conspiracy to rig bids (15 U.S. C. § 1) and defraud the United States (18 U.S.C. § 371) in connection with the award and performance of highway construction projects in northwestern Louisiana between February 1985 and January 1986.

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Copies of legal filings are available from the Legal Procedure Unit, Antitrust Division, Room 3233, Telephone No.: 514-2481.