



Department of Justice

March 1, 1993

**SUMMARY OF ANTITRUST ENFORCEMENT ACTIONS
FOR PUBLIC RELEASE
FOR MONDAY, FEB. 22, 1993 THROUGH FRIDAY, FEB. 26, 1993**

2/23/93 U.S. v. Urethane Applications, Inc. and
Donald Freeman
Criminal No.: 93-00097 (E.D. Pa.)

One-count information was filed in U.S. District Court in Philadelphia, Pennsylvania, charging Urethane Applications, Inc. of North Salem, New York, and its president and principal shareholder, Donald Freeman, with rigging bids, in violation of Section 1 of the Sherman Act, for certain polyurethane roofing contracts in Pennsylvania, New Jersey and New York.

2/23/93 U.S. v. Texas Commerce Bancshares, Inc. and Texas
Commerce Bank-Beaumont, N.A.
Civil No.: 3-93CVO368-D (N.D. Tex.)

A civil complaint was filed in U.S. District Court in the Northern District of Texas, challenging the proposed acquisition of New First City Bank-Beaumont N.A. by Texas Commerce Bank-Beaumont N.A., a subsidiary of Texas Commerce Bancshares Inc. (TCB) of Houston, Texas, which is a subsidiary of Chemical Banking Corp., New York City. At the same time, a proposed consent decree was filed which, if approved by the court, will resolve the suit. New First City-Beaumont is one of the 20 bridge banks sold by the Federal Deposit Insurance Corporation last month. The complaint alleged that the proposed acquisition would violate Section 7 of the Clayton Act by substantially lessening competition in business banking

(MORE)

services, including business transaction accounts and commercial operating loans, particularly for medium-sized businesses with annual sales of more than \$5 million. The proposed consent decree provides for TCB to divest at least two branches of the New First City Bank in Beaumont and all assets and deposits of those branches, except for First City's trust business and its indirect consumer loans. The proposed decree also would require TCB to divest all New First City commercial loans of \$500,000 or more, and the deposits of those loan customers. TCB is the second largest commercial bank in Beaumont, and operates approximately 110 offices through 16 separate national or state banks in Texas, which among them hold more than \$17 billion in assets and more than \$13 billion in deposits. New First City Bank-Beaumont is the largest bank in Beaumont. Between them, TCB and New First City hold approximately 30 percent of commercial bank deposits in Beaumont. Although the Department had also indicated its intention to challenge TCB's acquisition of New First City Bank-El Paso N.A., TCB abandoned its interest in that bank and assigned its winning bid to Sunwest Bank of El Paso, a subsidiary of Boatmen's Bancshares of St. Louis, Missouri. The Department had no objection to the purchase by Boatmen's. On February 11, 1993, the Department challenged TCB's acquisition of New First City Bank-Midland N.A. The Department and TCB have filed a proposed consent decree resolving that dispute.

2/24/93

Justice Consents to Proposed Termination of Plumbing and Heating Supplies Judgment

The Department of Justice, Antitrust Division, filed a stipulation in U.S. District Court for the District of Nevada which, if approved by the court, would terminate the Final Judgment in U.S. v. Reno Merchant Plumbing and Heating Contractors, Inc., et al., CV-N-868-ECR (D. Nev. 1952). Savage & Son, Inc., the only remaining defendant, filed a motion to terminate the Final Judgment in this case. The Department, in a stipulation also filed with the Court, has consented to termination of the Final Judgment, but has reserved the right to withdraw its consent for at least seventy (70) days after publication of the Federal Register Notice. In its papers, the Department set forth its reasons why termination would serve the public interest.

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