

SIDNEY I. LEZAK  
United States Attorney  
District of Oregon  
Box 71, 506 U.S. Courthouse  
Portland, Oregon 97207  
(Telephone: 503-221-2101)

ANTHONY E. DESMOND  
JAMES E. FIGENSHAW  
Antitrust Division  
Department of Justice  
450 Golden Gate Avenue - Room 16432  
Box 36046  
San Francisco, California 94102  
(Telephone: 415-556-6300)

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Civil No. 74-362
	)	
v.	)	Filed: May 9, 1974
	)	
OREGON STATE BAR,	)	<u>C O M P L A I N T</u>
	)	
<u>Defendant.</u>	)	

The United States of America, plaintiff, by its attorneys, acting under the direction of the Acting Attorney General of the United States, brings this civil action to obtain equitable relief against the above-named defendant and complains and alleges as follows:

I

JURISDICTION AND VENUE

1. This complaint is filed and these proceedings are instituted under Section 4 of the Act of Congress of July 2, 1890, as amended (15 U.S.C. § 4), commonly known as the Sherman Act, in order to prevent and restrain the continuing violation by the defendant, as hereinafter alleged, of Section 1 of said Act (15 U.S.C. § 1).

2. The defendant maintains an office, transacts business, and is found within the District of Oregon.

## II

### THE DEFENDANT

3. The Oregon State Bar (hereinafter referred to as "OSB") is made the defendant herein. OSB is a public corporation organized and existing under the laws of the State of Oregon and having its principal place of business in Portland, Oregon. OSB is an association of attorneys engaged in the business of providing legal services to the public. At the present time, over 3,700 attorneys are members of OSB.

## III

### CO-CONSPIRATORS

4. Various members and officers of OSB, not made defendants herein, participated as co-conspirators in the violation herein-after alleged and performed acts and made statements in furtherance thereof.

## IV

### TRADE AND COMMERCE

5. Members of OSB are engaged in the practice of law, rendering legal services to individuals, corporations, and other business entities located in Oregon and other states for a fee or salary. It is estimated that members of OSB realize annual revenues in excess of \$150 million for rendering legal services.

6. The legal services provided by members of OSB involve and affect individuals, corporations, and other business entities throughout the United States. These legal services facilitate, direct, and shape the conduct of interstate and international business and contribute directly to the flow of persons, money, goods, and services into and out of the State of Oregon.

7. A substantial portion of the legal services rendered by members of OSB are to individuals, corporations, and other business entities located in states other than Oregon. In the course of rendering such legal services, the members of OSB often travel to states other than the State of Oregon and make substantial use of interstate mail and wire services in the transport of funds, documents, contracts, memoranda, and other communications throughout the United States.

8. The activities of the defendant and its members, as described herein, are within the flow of interstate commerce, and have a substantial effect upon interstate commerce.

V

VIOLATION ALLEGED

9. For many years up to and including the date of the filing of this complaint, the defendant and co-conspirators have been continuously engaged in an unlawful combination and conspiracy to restrain the aforesaid trade and commerce in violation of Section 1 of the Sherman Act. Said unlawful combination and conspiracy is continuing and will continue unless the relief hereinafter prayed for is granted.

10. The aforesaid combination and conspiracy has consisted of a continuing agreement and concert of action among the defendant and co-conspirators to raise, fix, stabilize, and maintain fees charged by members of the defendant for rendering legal services.

11. In effectuating the aforesaid combination and conspiracy, the defendant and co-conspirators have done the things which, as hereinbefore alleged, they agreed and conspired to do, including, among other things, the following:

- (a) adopted uniform minimum fee schedules;

- (b) adopted uniform suggested fee schedules; and
- (c) published, circulated, and utilized uniform minimum and uniform suggested fee schedules.

## VI

### EFFECTS

12. The aforesaid combination and conspiracy has had the following effects, among others:

- (a) Fees for the sale of legal services by members of the defendant have been raised, fixed, stabilized, and maintained at artificial and noncompetitive levels;
- (b) Price competition in the provision of legal services by the members of the defendant has been restrained; and
- (c) Purchasers of legal services have been denied the right to obtain such services at competitively determined fees.

### PRAYER

WHEREFORE, plaintiff prays:

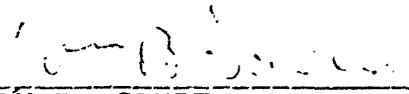
1. That the Court adjudge and decree that the defendant and co-conspirators have engaged in an unlawful combination and conspiracy in restraint of the aforesaid trade and commerce in violation of Section 1 of the Sherman Act.

2. That the defendant, its officers, directors and agents, and all other persons acting or claiming to act on its behalf be enjoined and restrained from, in any manner, directly or indirectly, continuing, maintaining, or renewing the combination and conspiracy hereinbefore alleged, or from engaging in any other combination, conspiracy, contract, agreement, understanding, or concert of action having a similar purpose or effect, and from adopting or following any practice, plan, program, or device having a similar purpose or effect.

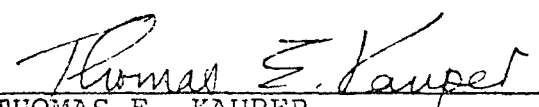
3. That the defendant, its officers, directors and agents, and all other persons acting or claiming to act on its behalf, be enjoined and restrained from publishing, adopting, distributing, or otherwise suggesting, and from adhering or agreeing to adhere to any schedule of legal fees to be charged by attorneys in the State of Oregon.


4. That the plaintiff have such other, further, general, and different relief as the case may require and the Court may deem just and proper under the circumstances.


5. That the plaintiff recover its taxable costs.

  
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WILLIAM B. SAXBE  
Attorney General

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JAMES E. FIGENSHAW  
Attorney, Department of Justice

  
\_\_\_\_\_  
THOMAS E. KAUPER  
Assistant Attorney General

  
\_\_\_\_\_  
BADDIA J. RASHID

  
\_\_\_\_\_  
WILLIAM E. SWOPE

\_\_\_\_\_  
ANTHONY E. DESMOND

Attorneys, Department of Justice

\_\_\_\_\_  
SIDNEY I. LEZAK  
United States Attorney