

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SWIFT & COMPANY; ARMOUR &
COMPANY; WILSON & CO., INC.;
CUDAHY COMPANY, ET AL.,

Defendants.

CIVIL ACTION NO. 58C613

RECEIVED
Filed:

NOV 17 1971

H. STUART CUNNINGHAM, CLERK
UNITED STATES DISTRICT COURT

STIPULATION

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

(1) The parties consent that a Modified and Supplemental Final Judgment in the form hereto attached may be filed and entered by the Court at any time after the expiration of thirty (30) days following the date of filing of this Stipulation without further notice to any party or other proceedings, either upon the motion of a party hereto or upon the Court's own motion, provided that plaintiff has not withdrawn its consent as provided herein;

(2) The plaintiff may withdraw its consent hereto at any time within said period of thirty (30) days by serving notice thereof upon the other parties hereto and filing said notice with the Court;

(3) In the event plaintiff withdraws its consent hereto, this Stipulation shall be of no effect whatever in this or any other proceeding and the making of this Stipulation shall not in any manner prejudice plaintiff or defendants in any subsequent proceedings.

forbidden to it in said paragraphs;

B. Any corporate defendant or its subsidiaries may enter the manufacture and/or distribution for resale by the purchaser in any form or for use by industrial, institutional, or governmental entities of any product line forbidden to it in said paragraphs, by acquisition of all or any part of a person, firm or corporation already engaged in such manufacture or distribution of such product line; provided that:

(1) Fifty percent (50%) or more of the total dollar value of shipments in said product line in the calendar year preceding the proposed acquisition date are accounted for by four or fewer persons, firms or corporations; and

(2) The person, firm or corporation to be acquired was not, in the calendar year preceding the proposed acquisition date, one of the four largest persons, firms or corporations in terms of dollar value of shipments of said product line; and

(3) The person, firm or corporation to be acquired did not, in the calendar year preceding the proposed acquisition date, account for more than five per cent (5%) of the total dollar value of shipments of said product line.

Dated: November 17, 1971

FOR THE PLAINTIFF

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