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4 Antitrust Division
5 Department of Justice
6 450 Golden Gate Avenue
7 San Francisco, California 94102
8 Telephone: 415-556-6300

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11)
12 Plaintiff,)
13 v.)
14 BANKAMERICA CORPORATION;)
15 BANK OF AMERICA NATIONAL TRUST)
16 & SAVINGS ASSOCIATION;)
17 BANKERS TRUST NEW YORK)
18 CORPORATION;)
19 BANKERS TRUST COMPANY;)
20 THE PRUDENTIAL INSURANCE)
21 COMPANY OF AMERICA;)
22 E. HORNSBY WASSON; and)
23 PAUL A. GORMAN,)
24 Defendants.)

Civil Action No.
75-2109 RFP

Filed: May 7, 1976

Entered: Sept. 9, 1976


25 STIPULATION

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

28 1. A final judgment in the form hereto attached may be
29 filed and entered by the Court, upon the motion of any party or
30 upon the Court's own motion, at any time after compliance with
31 the requirements of the Antitrust Procedures and Penalties Act,
32 15 U.S.C. §16, and without further notice to any party or other
proceedings, provided that plaintiff has not withdrawn its
consent, which it may do at any time before the entry of the
proposed final judgment by serving notice thereof on defendant
and by filing that notice with the Court.

1 2. In the event plaintiff withdraws its consent or if
2 the proposed final judgment is not entered pursuant to this
3 stipulation, this stipulation shall be of no effect whatever
4 and the making of this stipulation shall be without prejudice
5 to the plaintiff and defendant in this and any other pro-
6 ceeding.

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8 For the Plaintiff:


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11 THOMAS E. KAUPER
12 Assistant Attorney General

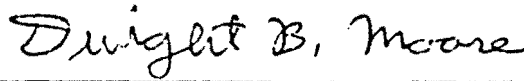

JILL NICKERSON

13 
14 BADDIA J. RASHID

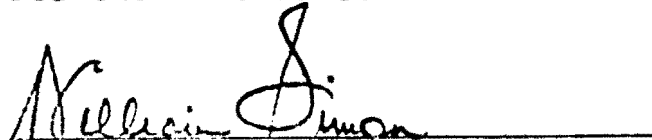

CROSSAN R. ANDERSEN

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16 CHARLES F. B. MCALEER


POLLY L. FRENKEL
Attorneys, Dept. of Justice

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18 
19 DWIGHT B. MOORE
20 Attorneys, Department of Justice

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22 For the Defendant:

23 
24 WILLIAM SIMON

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26 Attorney for E. Hornsby Wasson
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FILED

SEP 9 1976

WILLIAM L. WHITTAKER, CLERK

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25 FINAL JUDGMENT

26 Plaintiff, United States of America, having filed its
27 complaint herein on October 6, 1975, and defendant, E. Hornsby
28 Wasson, having appeared by his attorneys, and plaintiff and
29 the aforesaid defendant, by their respective attorneys, having
30 consented to the entry of this Final Judgment without trial or
31 adjudication of any issue of law or fact herein and without
32 this Final Judgment constituting evidence or admission by any
party with respect to any issue of law or fact herein;

NOW, THEREFORE, before the taking of any testimony and
without trial or adjudication of any issue of fact or law herein,
and upon the consent of the parties hereto, it is hereby,
ORDERED, ADJUDGED, AND DECREED:

7 SEP 9 1976
Copy mailed to parties hereto

1 I

2 This Court has jurisdiction over the subject matter and
3 the parties consenting hereto. The complaint states a claim
4 upon which relief may be granted under Section 8 of the Act of
5 Congress of October 15, 1914 (15 U.S.C. §19), as amended,
6 commonly known as the Clayton Act.

7 II

8 Defendant, E. Hornsby Wasson, is enjoined and restrained
9 from serving as a director of BankAmerica and Bank of America
10 or any subsidiary thereof, while serving as a director of The
11 Prudential Insurance Company of America or any of its subsid-
12 iaries.

13 III

14 Upon sixty (60) days written notice to the Attorney
15 General, the defendant may file a petition in this Court for
16 the abatement or modification of this Judgment if, after the
17 date of the entry of this Judgment, an act of Congress or
18 decision of the Supreme Court of the United States provides
19 that director interlocks between banks and non-banks are exempt
20 from the provisions of 15 U.S.C. §19, reading as follows:

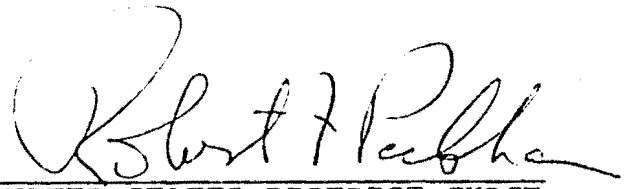
21 ". . . No person at the same time shall be a director in any
22 two or more corporations, any one of which has capital, surplus,
23 and undivided profits aggregating more than \$1,000,000 engaged
24 in whole or in part in commerce, other than banks, banking
25 associations, trust companies, and common carriers subject to
26 the Act to regulate commerce, approved February fourth, eighteen
27 hundred and eighty-seven, if such corporations are or shall
28 have been theretofore, by virtue of their business and location
29 of operation, competitors so that the elimination of competition
30 by agreement between them would constitute a violation of any
31 of the provisions of any of the antitrust laws. . ."

1 IV

2 Jurisdiction is retained by this Court for the purpose
3 of enabling any of the parties to this Final Judgment to apply
4 to this Court at any time for such further orders and directions
5 as may be necessary or appropriate for the construction or
6 modification of any of the provisions thereof, for the enforce-
7 ment of compliance therewith, and for the punishment of vio-
8 lations thereof. This Final Judgment shall be in full force
9 and effect for a period of twenty (20) years from the date of
10 entry of this Final Judgment and thereafter will have no further
11 force and effect.

12 V

13 Entry of this Final Judgment is in the public interest.
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18 UNITED STATES DISTRICT JUDGE

19 Dated:

20 *September 9, 1976*
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