

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FT. LAUDERDALE DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Civil No. FL-76-6041
)	
v.)	
)	Filed: January 27, 1976
AMERICAN SERVICE CORPORATION;)	
CADILLAC OVERALL SUPPLY COMPANY;)	
EVERGLADES LAUNDRY, INC. doing business)	
as MECHANICS UNIFORM SERVICE;)	(15 U.S.C. §1)
NEWAY UNIFORM & TOWEL SUPPLY OF)	
FLORIDA, INC.;)	
UNIFORMS FOR INDUSTRY, INC.,)	
)	
Defendants.)	

COMPLAINT

The United States of America, plaintiff, by its attorneys, acting under the direction of the Attorney General of the United States, brings this civil action to obtain equitable relief against the above-named defendants, 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 violation by defendants, as hereinafter alleged, of Section 1 of said Act, as amended prior to December 21, 1974 (15 U.S.C. §1).

2. Each of the defendants transacts business, or is found, within the Southern District of Florida, Ft. Lauderdale Division.

II

DEFINITIONS

3. As used herein, the term:

- (a) "Industrial garments" means any item of work clothing and ancillary products including, but not limited to, work pants, dress pants, dress shirts, work shirts, coveralls, overalls, jackets, coats, uniforms, shop towels, dust control materials, and other similar items;
- (b) "Uniform rental company" means a company in the business of renting and maintaining industrial garments; and
- (c) "South Florida" means the Counties of Palm Beach, Broward, Dade, and that part of Monroe County commonly referred to as the Florida Keys in the State of Florida.

III

DEFENDANTS

4. The corporations named below are hereby made defendants herein. Each of the said corporations is organized and exists under the laws of the state, and has its principal place of business in the city, indicated below. Within the period of time covered by this Complaint, each of these defendants was engaged in the uniform rental business in South Florida.

	<u>State of Incorporation</u>	<u>Principal Place Of Business</u>
American Service Corporation	Delaware	Miami, Florida
Cadillac Overall Supply Company	Michigan	Detroit, Michigan
Everglades Laundry, Inc. doing business as Mechanics Uniform Service	Florida	Miami, Florida
Neway Uniform & Towel Supply of Florida, Inc.	Florida	Opa Locka, Florida

	<u>State of Incorporation</u>	<u>Principal Place Of Business</u>
Uniforms for Industry, Inc.	Florida	Miami, Florida

IV

CO-CONSPIRATORS

5. Various other corporations and individuals not made defendants in this complaint participated as co-conspirators in the violation alleged and have performed acts and made statements in furtherance thereof.

V

TRADE AND COMMERCE

6. Employees of commercial and industrial businesses, institutions and municipalities wear and use industrial garments. In a substantial number of cases, these industrial garments are supplied by uniform rental companies. In 1973, the defendants had gross revenues from uniform rental business in South Florida of approximately \$13 million.

7. Uniform rental companies located in South Florida regularly purchase or otherwise obtain for the use of their customers industrial garments from manufacturers whose plants are located outside of the State of Florida. Defendants purchase substantial quantities of cleansing supplies and packaging materials from suppliers located outside of the State of Florida. Thus, during the period covered by this Complaint, there was a continuous and uninterrupted flow of industrial garments, cleansing supplies and packaging materials from plants located in the states other than Florida to uniform rental companies, including the defendants, within the States of Florida, and then to their customers.

VI

VIOLATION ALLEGED

8. Beginning at least as early as the 1960's, the exact date being to the plaintiff unknown, and continuing thereafter up to September 1974, the defendants and co-conspirators engaged in a combination and conspiracy in unreasonable restraint of the above described interstate trade and commerce in violation of Section 1 of the Act of Congress of July 2, 1890, as amended prior to December 21, 1974 (15 U.S.C. §1), commonly known as the Sherman Act. The aforesaid combination and conspiracy may recur unless the relief hereinafter prayed for is granted.

9. The aforesaid combination and conspiracy has consisted of an agreement, understanding and concert of action among the defendants and co-conspirators, the substantial terms of which were to divide, allocate and apportion customers of the defendant and co-conspirator corporations.

10. For the purpose of forming and effectuating the aforesaid combination and conspiracy, the defendants and co-conspirators have done those things which, as hereinbefore alleged, they combined and conspired to do.

VII

EFFECTS

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

- (a) Competition in the uniform rental industry in South Florida has been restrained.
- (b) The freedom of customers to do business with uniform rental companies of their choice has been restricted in South Florida.
- (c) The prices charged by uniform rental companies in South Florida have been stabilized and maintained at non-competitive and artificial levels.

PRAYER

WHEREFORE, the plaintiff prays:

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

2. That each defendant, including any subsidiaries thereof, its officers, directors, employees, agents, successors and assigns, and all persons acting or claiming to act on behalf thereof, be perpetually enjoined from continuing, maintaining or renewing the aforesaid combination and conspiracy, and from engaging in any other combination, conspiracy, agreement or understanding having a similar purpose or effect.

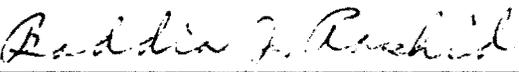
3. That the plaintiff have such other, further, general and different relief as the case may require, and the Court may deem just and proper.

4. That the plaintiff recover its taxable costs.



THOMAS E. KAUPER
Assistant Attorney General

JACK C. WILLIAMSON



BADDIA J. RASHID

GARY FLACK

DONALD A. KINKAID

JOHN T. ORR, JR.

Attorneys,
Department of Justice

Attorneys,
Department of Justice

Antitrust Division
Suite 420
1776 Peachtree Street, N.W.
Atlanta, Georgia 30309

ROBERT W. RUST
United States Attorney