

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THE LUCKY LAGER BREWING COMPANY
OF SAN FRANCISCO,

Defendant.

Civil Action No. C-15-58

ORDER MODIFYING
FINAL JUDGMENT

Defendant having moved this Court for an order modifying the final judgment herein, dated October 6, 1958, pursuant to the provisions of paragraph VIII thereof, the plaintiff having consented to such modification, and the issue having been presented and argued orally to this Court on October 21, 1963, and having been submitted for decision by this Court, it is hereby ordered that said motion be and it hereby is granted and that said final judgment be and it hereby is amended as follows:

Subsection B of Section IV to read as follows:

B. Defendant Lucky Lager is perpetually enjoined and restrained from acquiring, directly or indirectly, any shares of stock, assets, or other interest in any facilities or plant of any person, partnership or corporation engaged in the brewing of beer, except upon application to this Court and after an affirmative showing to the Court that the effect of such acquisition will not be substantially to lessen competition or to tend to create a monopoly in any line of commerce in any section of the country.

A new Section X added to read as follows:

X

Section VI of this Final Judgment is hereby canceled.

A new Section XI added to read as follows:

XI

Plaintiff may at any time, with notice to defendant Lucky Lager, move this Court for entry of an order reinstating Section VI of the Final Judgment, as originally entered herein, and this Court may enter such an order upon a showing by the plaintiff to the satisfaction of this Court that such an order is appropriate.

Said judgment as amended pursuant to the terms of this order shall remain in full force and effect.

Dated: October 24, 1963.

A. Sherman Christensen
UNITED STATES DISTRICT JUDGE