

Trade Regulation Reporter - Trade Cases (1932 - 1992), United States v. Aero Mayflower Transit Company, Inc.; Allied Van Lines, Inc.; American Red Ball Transit Company, Inc.; Benton Brothers Drayage and Storage Company; Delcher Brothers Storage Company, Inc.; North American Van Lines, Inc.; Security Storage Company; Suddath Moving and Storage Co., Inc.; Suddath of Savannah, Inc.; United Van Lines, Inc.; Youmans Van and Storage Company, Inc.; Weathers Brothers Transfer Company, Inc.; Savannah Household Goods Movers Association; E. J. Benton, Sr.; Joseph L. Bradley; Leonidas T. Givens, Jr.; Charles W. Hammock; George S. Smith; Lott W. Youmans., U.S. District Court, S.D. Georgia, 1956 Trade Cases ¶68,526, (Sept. 20, 1956)

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United States v. Aero Mayflower Transit Company, Inc.; Allied Van Lines, Inc.; American Red Ball Transit Company, Inc.; Benton Brothers Drayage and Storage Company; Delcher Brothers Storage Company, Inc.; North American Van Lines, Inc.; Security Storage Company; Suddath Moving and Storage Co., Inc.; Suddath of Savannah, Inc.; United Van Lines, Inc.; Youmans Van and Storage Company, Inc.; Weathers Brothers Transfer Company, Inc.; Savannah Household Goods Movers Association; E. J. Benton, Sr.; Joseph L. Bradley; Leonidas T. Givens, Jr.; Charles W. Hammock; George S. Smith; Lott W. Youmans.

1956 Trade Cases ¶68,526. U.S. District Court, S.D. Georgia, Savannah Division. Civil Action No. 814. Dated September 20, 1956. Case No. 1241 in the Antitrust Division of the Department of Justice.

Sherman Antitrust Act

Department of Justice Enforcement and Procedure—Injunctive Relief—Consent Decrees —Decree Entered Only on Consent of Defendants.—In a Government antitrust action, a judgment prohibiting price fixing and requiring the dissolution of an association was entered by the court with the consent of the defendants but without the consent of the Government. The judgment recited that the defendants consented to the entry of the judgment without trial or adjudication of any issue of fact and without admitting the commission of any illegal acts as charged in the complaint.

Department of Justice Enforcement and Procedure—Consent Decrees—Specific Relief —Dissolution of Association.—A household goods movers' association was ordered to be dissolved in a decree entered with the consent of the defendants but without the consent of the Government. The members of the association were prohibited from organizing any new association having as its object or purpose the unlawful fixing or quoting of rates to the United States Government for the interstate movement or storage of household goods of military personnel transferred from military installations in or near Savannah, Georgia.

Combinations and Conspiracies—Consent Decree—Practices Enjoined—Price Fixing —Household Goods Movers.—Movers of household goods, a trade association, and certain officers of the movers and the association were prohibited by a decree, entered with the consent of the defendants but without the consent of the Government, from entering into any understanding to unlawfully fix, stabilize, or tamper with price quotations to the United States Government for the interstate movement of household goods of military personnel transferred from military installations in or near Savannah, Georgia.

For the plaintiff: William C. Calhoun, United States Attorney, Southern District of Georgia, Augusta, Ga.; and Willard R. Memler, Attorney, Department of Justice, Washington, D. C.

For the defendants: Harlan, Russell, Moye & Richardson, by Charles A. Moye, Jr., Atlanta, Ga., for Aero Mayflower Transit Co., Inc.; Hitch & Harrison, by Robert M. Hitch, Savannah, Ga., for Allied Van Lines, Inc.;

James L. Flemister, Atlanta, Ga., for American Red Ball Transit Co., Inc., and Weathers Bros. Transfer Co., Inc.; Myrick & Myrick, Savannah, Ga., for Benton Bros. Drayage & Storage Co., E. J. Benton, Sr., and Joseph L. Bradley; Kitchens & Schwartz, by Leo Kitchens, Jacksonville, Fla., for Delcher Bros. Storage Co. and George S. Smith; Allyn M. Wallace, Savannah, Ga., for Youmans Van & Storage Co., Savannah Household Goods Movers Assn., and Lott W. Youmans; Miller & Beckman, by John B. Miller, Savannah, Ga., for Charles W. Hammock and Leonidas T. Givens, Jr.; Corish & Alexander, by Julian F. Corish, Savannah, Ga., for North American Van Lines, Inc.; Douglas, Adams & Adams, by A. Pratt Adams, Savannah Ga., for Security Storage Co.; O. C. Beakes, Jacksonville, Fla., for Suddath Moving & Storage Co., Inc. and Suddath of Savannah, Inc.; and Frank S. Cheatham, Jr., Savannah, Ga., for United Van Lines, Inc.

Judgment

[Consent of Defendants]

F. M. SCARLETT, District Judge [*In full text*]: The above case having come on for trial in Brunswick, Georgia on July 2, 1956, and the defendants, by their counsel, having consented to the entry of this judgment without trial or adjudication of any issue of fact and without admitting the commission of any illegal acts as charged in the complaint,

It is hereby ordered, adjudged and decreed:

[Fixing of Price Quotations]

1. That each of the defendants and all persons bona fide acting under, through or on behalf of them or any of them, be perpetually enjoined and restrained from unlawfully entering into, adhering to, renewing, maintaining or furthering, directly or indirectly, or inducing others to enter into any contract, agreement, understanding, plan or program or common course of action to unlawfully fix, stabilize or tamper with price quotations to the United States Government for the interstate movement of household goods of military personnel transferred from military installations in or near Savannah, Georgia.

[Dissolution of Association]

2. That the defendant Savannah Household Goods Movers Association be dissolved and the defendant members thereof be perpetually enjoined from organizing any new or other association or associations having as their object or purpose the unlawful fixing or quoting of rates to the United States Government for the interstate movement or storage of household goods of military personnel transferred from military installations in or near Savannah, Georgia.