

APPENDIX A:
FINAL JUDGMENTS
(Ordered by Year Judgment Entered)

U.S. v. AMERICAN AMUSEMENT TICKET MANUFACTURERS ASSOCIATION, ET AL.

Civil No.: 46422

Year Judgment Entered: 1926

1304

DECREES AND JUDGMENTS

**UNITED STATES OF AMERICA v. AMERICAN
AMUSEMENT TICKET MANUFACTURERS
ASSOCIATION ET AL DEFENDANTS.**

**IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA
HOLDING AN EQUITY COURT**

In Equity No. 46422.

UNITED STATES OF AMERICA, PETITIONER,

VS.

AMERICAN AMUSEMENT TICKET MANUFACTURERS ASSOCIATION, ET AL, DEFENDANTS.

FINAL DECREE.

The United States of America having filed its petition in the above-entitled cause on the 30th day of December, 1926, against the following defendants:

1. American Amusement Ticket Manufacturers Association.
2. Globe Ticket Company.
3. The Ansell Ticket Company.
4. The Arcus Ticket Company.
5. Automatic Ticket Register Corporation of New York.
6. Columbia Printing Company.
7. Elliott Ticket Company, Inc.
8. Hancock Bros., Inc.
9. International Ticket Company.
10. Rees Ticket Company.
11. The Simplex Ticket Company, Inc.
12. Trimount Press.
13. Weldon, Williams & Lick.
14. World Ticket & Supply Company, Inc.
15. P. C. Snow.
16. George Clendenning.
17. James S. Arcus.
18. Edgar S. Bowman.
19. John W. Bornhoeft.
20. Clifford Elliott.
21. J. F. Hancock.
22. Charles Manshel.
23. Samuel Rees.
24. E. L. Gosnell.
25. W. L. Peabody.
26. John M. Cummings.
27. C. A. Lick, Senior.

1306

DECREES AND JUDGMENTS

28. J. C. Enslen.

All of said defendants named herein appeared by counsel, namely, Charles Conradis.

Comes now the United States of America, by Peyton Gordon, its attorney for the District of Columbia, William J. Donovan, Assistant to the Attorney General, and Russell Hardy, Special Assistant to the Attorney General, and come also the defendants by counsel as aforesaid, and the petitioner moved the court for an injunction against the defendants as prayed. Thereupon all of the defendants herein, through counsel, consented to the following decree:

ORDERED, ADJUDGED AND DECREED:

That the court has jurisdiction of the subject matter of the petition, and that the petition states facts constituting a cause of action.

That the combination and conspiracy in restraint of interstate trade and commerce, and the acts and agreements amongst the defendants in restraint of interstate trade and commerce in amusement tickets as described in the petition herein, are violative of the Act of Congress of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies."

That the defendants, their officers, agents or employees, are perpetually enjoined and prohibited—

1. From assigning or allotting any buyer of amusement tickets as the exclusive customer of any of the defendants, whether by agreement or understanding amongst the defendants, or by regarding or designating any buyer who has been or is trading with any of the defendants as the exclusive customer of that defendant, or otherwise.

2. From agreeing that no defendant shall sell amusement tickets to any buyer at prices less than those at which such buyer shall have purchased amusement tickets from any defendant.

3. From exchanging, directly or indirectly, or through the instrumentality of a trade association or other common agent,—

U. S. v. AMER'N AMUSEMENT TICKET MFTRS. 1307

(a) information as to prices and terms and conditions for the sale of amusement tickets, for the purpose of effectuating or enabling the defendants to observe agreements upon prices or assignments and allotments of customers, or for the purpose of restraining the independence or freedom of any defendant with regard to prices, terms and conditions of sale to be quoted for amusement tickets.

(b) information as to discounts, deviations or enhancements from and upon prices theretofore quoted or published by any of the defendants, which discounts, deviations or enhancements shall have been quoted or charged to particular buyers, for the purpose of effectuating or enabling the defendants to observe agreements upon prices or assignments and allotments of customers, or for the purpose of restraining the independence or freedom of any defendant with regard to prices, terms, and conditions of sale to be quoted for amusement tickets.

(c) information relative to the reasons for such discounts, deviations or enhancements, or relative to the reasons for the failure to make sales to persons to whom prices, terms and conditions of sale shall have been quoted; Provided that nothing contained in this decree shall be construed to prohibit an exchange of information regarding facts of past transactions.

4. From arbitrating or composing disputes or controversies amongst any of the defendants relative to prices, terms and conditions of sale for amusement tickets quoted or charged by any defendant.

5. That jurisdiction of this cause is hereby retained for the following purposes: (a) Enforcing this decree. (b) Enabling any of the parties to apply to the court for a modification or enlargement of its provisions on the ground that they have become inadequate, inappropriate or unnecessary.

By the court:

A. A. HOEHLING (signed)

Justice.

December 30, 1926.

1308

DECREES AND JUDGMENTS

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA
HOLDING AN EQUITY COURT
UNITED STATES OF AMERICA, PETITIONER,

VS.

AMERICAN AMUSEMENT TICKET MANUFACTURERS AS-
SOCIATION, ET AL, DEFENDANTS.

In Equity No. 46422.,

ORDER FOR MODIFICATION OF FINAL DECREE.

Upon consideration of the petition filed in this cause on the 10th day of May, A. D. 1935 by the defendants herein, for modification of the Final Decree made and entered herein on the 30th day of December, A. D. 1926, and the said defendants appearing by Charles Conradis and Albert E. Conradis, and consenting to the entry of this order; and the United States appearing by Leslie C. Garnett, United States Attorney, and consenting to the entry of this order; it is by the Court this 10th day of May, A. D. 1935,

ADJUDGED, ORDERED and DECREED, that the Final Decree made and entered herein on the 30th day of December, A. D. 1926, be and it is hereby modified so as to incorporate therein the following additional provisions:

"Nothing in this decree shall be deemed or construed to prevent any defendant, or the officers, agents, servants, employees or persons acting under, through, by or in behalf of any defendant, or claiming so to act, from doing any of the acts authorized, permitted or required by the Code of Fair Competition for the Graphic Arts Industries, approved by the President of the United States on February 17, 1934, pursuant to the Act of Congress of June 16, 1933, known as the National Industrial Recovery Act, and by any modifications, amendments or supplements of said Code, which have been or may be duly approved, or by any other Code or agreement, or any amendments, modifications, or supplements thereof, applicable to the defendants or any of them, which have been or may

U. S. v. CALIF. HARDWARE AND IMPLEMENT 1309

be duly approved, under said National Industrial Recovery Act, during such time as and to the extent to which the same shall remain in effect.

"The United States may at any time apply to the Court for further relief herein, on the ground that operations under, or purporting to be under, said Code of Fair Competition for the Graphic Arts Industries or modifications, amendments, or supplements thereof, or such other code or agreement, or amendments, or supplements thereof, applicable to the defendants, or any of them, which have been or may be approved and applicable to the defendants, are promoting monopolies, or are eliminating, oppressing or discriminating against small enterprises, or are promoting monopolistic practices, or are not in accordance with the National Industrial Recovery Act.

"The right of the defendants or any of them is hereby reserved to make such motions herein for modification of this decree or otherwise as they may be advised."

By the Court:

(s) F. DICKINSON LETTS,
Justice.

May 10, 1935.

U.S. v. ATLANTIC CLEANERS AND DYERS, INC., ET AL.

Civil No.: 49417

Year Judgment Entered: 1931

UNITED STATES OF AMERICA, PETITIONER

VS.

ATLANTIC CLEANERS AND DYERS, INC., ET AL.,
DEFENDANTS.

DECREE.

This cause came on to be heard at this term on plaintiff's motion to strike the amended answers of defendants, Atlantic Cleaners and Dyers, Inc., Globe Dry Cleaners and Dyers, Arcade-Sunshine Co., Vogue Dry Cleaning Company, Samuel Rubenstein, Charles Rubenstein, John F. McCarron, Samuel Grozbean, Harry Viner and Samuel Goldenberg, and the Court being of opinion that the amended answers of said defendants are insufficient in law to constitute a defense to the cause of action alleged in the petition, it is, by the Court, this 5th day of November, 1931,

Ordered, adjudged, and decreed that the amended answers of defendants, Atlantic Cleaners and Dyers, Inc., Globe Dry Cleaners and Dyers, Arcade-Sunshine Co., Vogue Dry Cleaning Company, Samuel Rubenstein, Charles Rubenstein, John F. McCarron, Samuel Grozbean, Harry Viner and Samuel Goldenberg, be and the same are hereby stricken from the files.

And said defendants, by their attorneys, appearing in open Court and electing to stand upon their said amended answers to the petition, it is, by the Court, upon consideration thereof, this 5th day of November, 1931, further

Ordered, adjudged and decreed, as follows:

1. That this Court has jurisdiction of the subject matter and of all the parties hereto; that the petition herein states a good cause of action against the defendants herein under the Act of Congress approved July 2, 1890, entitled "An Act To protect trade and commerce against unlawful restraints and monopolies." and under the common law.

2. That the petition herein be and the same is hereby

U. S. v. ATLANTIC CLEANERS AND DYERS INC. 1413

dismissed as to the defendants, Majestic Cleaning and Dye Works, Inc., Isidore Janet, The Mutual Cleaning Company and Joseph A. Geier.

3. That the defendants, Atlantic Cleaners and Dyers, Inc., Globe Dry Cleaners and Dyers, Arcade-Sunshine Co., Vogue Dry Cleaning Company, Samuel Rubenstein, Charles Rubenstein, John F. McCarron, Samuel Grozbean, Harry Viner and Samuel Goldenberg, have been and are engaged in a combination and conspiracy in restraint of trade and commerce in the District of Columbia in cleaning, dyeing and/or otherwise renovating clothes, as described in the petition, in violation of the Act of Congress approved July 2, 1890, entitled "An Act To protect trade and commerce against unlawful restraints and monopolies," and of the common law.

4. That the defendants, Atlantic Cleaners and Dyers, Inc., Globe Dry Cleaners and Dyers, Arcade-Sunshine Co., Vogue Dry Cleaning Company, Samuel Rubenstein, Charles Rubenstein, John F. McCarron, Samuel Grozbean, Harry Viner and Samuel Goldenberg, their officers, agents, servants, employees, and attorneys, and all those in active concert or participation with them, be and they are hereby perpetually enjoined and restrained from—

(a) Further carrying out the combination and conspiracy in restraint of trade and commerce in the District of Columbia in cleaning, dyeing, and/or otherwise renovating clothes, herein mentioned;

(b) Agreeing upon or making effective any assignment or allotment of the business of retail dyers and cleaners of clothing;

(c) Agreeing upon prices, terms and conditions to be charged and received by them for cleaning, dyeing and renovating clothes;

(d) Doing any acts to effectuate or enable them to observe any agreement for an assignment or allotment of the business of retail dyers and cleaners of clothing, or any agreement upon prices, terms and conditions to be charged and received by them for cleaning, dyeing and renovating clothes.

1414

DECREES AND JUDGMENTS

5. That jurisdiction of this cause be retained by this Court for the purpose of enforcing this decree.

6. That plaintiff recover from said defendants its costs, to be taxed by the Clerk, and that it have execution therefor.

ALFRED A. WHEAT,
Chief Justice.

Filed Nov. 5, 1931.

U.S. v. PLUMBING AND HEATING INDUSTRIES ADMINISTRATIVE ASSOCIATION,
INC., ET AL.

Civil No.: 5226

Year Judgment Entered: 1939

UNITED STATES OF AMERICA v. PLUMBING AND
HEATING INDUSTRIES, ADMINISTRATIVE ASS'N,
ET AL., DEFENDANTS.
IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE DISTRICT OF COLUMBIA.

Civil Action No. 5226.

UNITED STATES OF AMERICA, COMPLAINANT

VS.

PLUMBING AND HEATING INDUSTRIES ADMINISTRATIVE
ASSOCIATION, INC., JOSEPH G. HILDEBRAND, JOHN M.
BOTTS, J. H. MCCARTHY, ELMON J. EWING, JOSEPH A.
HIGH, THEO. R. NEWMAN, MARK MORAN, W. HOWARD
GOTTLIEB, MAURICE R. COLBERT, FRANK J. LUCAS, ED-
GAR O. OLSON, DEFENDANTS.

JUDGMENT.

This cause came on to be heard on this 22nd day of
December 1939 the complainant being represented by

U. S. v. PLUMBING AND HEATING INDUSTRIES 2017

David A. Pine, United States Attorney for the District of Columbia, and Gordon Dean, Special Assistant to the Attorney General, and the defendants being represented by their counsel, said defendants having appeared voluntarily and generally and having waived service of process.

It appears to the Court that the defendants have consented in writing to the making and entering of this judgment;

It further appears to the Court that this judgment will provide suitable relief concerning the matters alleged in the complaint, and that by reason of the aforesaid consent of the parties it is unnecessary to proceed with the trial of the cause, or to take testimony therein, or that any adjudication be made of the facts.

Now, therefore, upon motion of complainant without taking any testimony or evidence, and without making any adjudication of the facts, and in accordance with said consent, it is hereby

ORDERED, ADJUDGED, AND DECREED:

1. That the Court has jurisdiction of the subject matter set forth in the complaint and of all the parties hereto with full power and authority to enter this judgment and that the complaint alleges a combination in restraint of trade and commerce in the District of Columbia in the restriction and elimination of competitive bidding among plumbing and heating contractors in violation of the Act of Congress approved July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," commonly known as the Sherman Antitrust Act, and states a cause of action under said Act.

2. That defendant corporation, Plumbing and Heating Industries Administrative Association, Inc., be dissolved by action of the defendant officers and members of said corporation.

3. That the defendants and each of them and each and all of their respective officers, directors, agents, servants, and employees, and all persons acting or claiming to act

2018

DECREES AND JUDGMENTS

on behalf of the defendants or any of them be and they are hereby perpetually enjoined and restrained from engaging in, carrying out, maintaining, or extending, directly or indirectly, any combination to restrain trade or commerce in the District of Columbia in the restriction and elimination of competitive bidding among plumbing and heating contractors such as is alleged in the complaint, and from entering into or carrying out, directly or indirectly, by any means whatsoever, any combination of like character or effect, and more particularly (but the enumeration following shall not detract from the inclusiveness of the foregoing) from doing, performing, agreeing upon, entering upon, or carrying out any of the following acts or things:

(a) Operating any organization or engaging in any plan or procedure whereby the elimination or restriction of low bids on any project is accomplished;

(b) Interfering or agreeing to interfere in any way with free and open competitive bidding on any and all construction projects in the District of Columbia.

4. That for the purpose of securing compliance with the judgment authorized representatives of the Department of Justice shall, upon the request of the Attorney General or an Assistant Attorney General, be permitted access, within the office hours of the defendants, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or control of defendants, relating to any of the matters contained in this judgment; that any authorized representative of the Department of Justice shall, subject to the reasonable convenience of the defendants, be permitted to interview officers or employees of defendants, without interference, restraint, or limitation by defendants; that defendants, upon the written request of the Attorney General, shall submit such reports with respect to any of the matters contained in this judgment as may from time to time be necessary for the proper enforcement of this judgment.

5. That jurisdiction of this cause and of the parties hereto is retained for the purpose of giving full effect to this judgment and for the enforcement of strict compliance therewith, and for the further purpose of making such other and further orders and judgments or taking such other action as may from time to time be necessary.

6. And that complainant recover its costs.

(S.) JAMES M. PROCTOR,
Judge.

Dated at Washington, D. C., this 22nd day of December 1939.

U.S. v. UNION PAINTERS ADMINISTRATIVE ASSOCIATION, INC., ET AL.

Civil No.: 5225

Year Judgment Entered: 1939

UNITED STATES OF AMERICA v. UNION PAINTERS
ADMINISTRATIVE ASS'N INC., ET AL.,
DEFENDANTS.
IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE DISTRICT OF COLUMBIA.

Civil Action No. 5225.

UNITED STATES OF AMERICA, COMPLAINANT

VS

UNION PAINTERS ADMINISTRATIVE ASSOCIATION, INC.,
W. H. SHEEHAN, THOMAS H. REID, F. Y. DENSON, ED-
WARD W. MINTE CO., INC., EDWARD W. MINTE, F. J.
RICE, A. WILLIAM DUNBAR, DEFENDANTS.

JUDGMENT.

This cause came on to be heard on this 2nd day of December 1939 the complainant being represented by David A. Pine, United States Attorney for the District of Columbia, and by Gordon Dean, Special Assistant to the Attorney General, and the defendants being represented by their counsel, said defendants having appeared voluntarily and generally and having waived service of process.

2020 DECREES AND JUDGMENTS

It appears to the Court that the defendants have consented in writing to the making and entering of this judgment;

It further appears to the Court that this judgment will provide suitable relief concerning the matters alleged in the complaint and that by reason of the aforesaid consent of the parties it is unnecessary to proceed with the trial of the cause or to take testimony therein or that any adjudication be made of the facts.

Now, therefore, upon motion of complainant, without taking any testimony or evidence, and without making any adjudication of the facts, and in accordance with said consent, it is hereby

ORDERED, ADJUDGED, AND DECREED:

1. That the Court has jurisdiction of the subject matter set forth in the complaint and of all the parties hereto with full power and authority to enter this judgment and that the complaint alleges a combination in restraint of trade and commerce in the District of Columbia in the elimination of competitive bidding among painting contractors in violation of the Act of Congress approved July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," commonly known as the Sherman Antitrust Act, and states a cause of action under said Act.

2. That charter of the defendant corporation, Union Painters Administrative Association, Inc., is hereby forfeited.

3. That the defendants and each of them and each and all of their respective officers, directors, agents, servants, and employees, and all persons acting or claiming to act on behalf of the defendants or any of them be and they are hereby perpetually enjoined and restrained from engaging in, carrying out, maintaining, or extending, directly or indirectly, any combination to restrain trade or commerce in the District of Columbia in the elimination of competitive bidding among painting contractors such as is alleged in the complaint and from entering into or

U. S. v. UNION PAINTERS ADM. ASSN. INC. 2021

carrying out, directly or indirectly, by any means whatsoever, any combination of like character or effect and more particularly (but the enumeration following shall not detract from the inclusiveness of the foregoing) from doing, performing, agreeing upon, entering upon, or carrying out any of the following acts or things:

a. Operating any organization or engaging in any device or scheme such as that commonly known as a bid depository whereby the elimination or restriction of low bids on any project in the District of Columbia is accomplished;

b. Interfering or agreeing to interfere in any way with free and open competitive bidding on any and all construction projects in the District of Columbia;

4. That for the purpose of securing compliance with the judgment authorized representatives of the Department of Justice shall, upon the request of the Attorney General or an Assistant Attorney General, be permitted access, within the office hours of the defendants, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or control of defendants, relating to any of the matters contained in this judgment; that any authorized representative of the Department of Justice shall, subject to the reasonable convenience of the defendants, be permitted to interview officers or employees of defendants, without interference, restraint, or limitation by defendants; that defendants, upon the written request of the Attorney General, shall submit such reports with respect to any of the matters contained in this judgment as may from time to time be necessary for the proper enforcement of this judgment.

5. That jurisdiction of this cause and of the parties hereto is retained for the purpose of giving full effect to this judgment and for the enforcement of strict compliance therewith, and for the further purpose of making such other and further orders and judgments or taking such other action as may from time to time be necessary.

2022

DECREES AND JUDGMENTS

6. And that complainant recover its costs.

(S.) JAMES M. PROCTOR,

Judge.

Dated at Washington, D. C., this 22nd day of December
1939.

U.S. v. EXCAVATORS ADMINISTRATIVE ASSOCIATION, INC., ET AL.

Civil No.: 5227

Year Judgment Entered: 1939

2022

DECREES AND JUDGMENTS

**UNITED STATES OF AMERICA v. EXCAVATORS
ADMINISTRATIVE ASS'N, ET. AL., DEFENDANTS**
IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE DISTRICT OF COLUMBIA.

Civil Action No. 5227.

UNITED STATES OF AMERICA, COMPLAINANT

VS.

EXCAVATORS ADMINISTRATIVE ASSOCIATION, INC., LOGAN
PINGREE COMPANY, INC., THE M. CAIN COMPANY, INC.,
CRANE SERVICE COMPANY, INC., RAYMOND HARTZELL,
HERMAN MORAUER, RAYMOND MORAUER, JAMES PAR-
RECO, THEODORE PARRECO, WILLIAM PARRECO, EDWARD
PARRECO, LOGAN PINGREE, F. J. RICE, M. CAIN,
DEFENDANTS.

JUDGMENT.

This cause came on to be heard on this 22nd day of December 1939, the complaint being represented by David A. Pine, United States Attorney for the District of Columbia, and Gordon Dean, Special Assistant to the Attorney General, and the defendants being represented by their counsel, said defendants having appeared voluntarily and generally and having waived service of process.

It appears to the Court that the defendants have consented in writing to the making and entering of this judgment;

U. S. v. EXCAVATORS ADM. ASSOCIATION 2023

It further appears to the Court that this judgment will provide suitable relief concerning the matters alleged in the complaint, and that by reason of the aforesaid consent of the parties it is unnecessary to proceed with the trial of the cause or to take testimony therein, or that any adjudication be made of the facts.

Now, therefore, upon motion of complainant, without taking any testimony or evidence, and without making any adjudication of the facts, and in accordance with said consent, it is hereby

ORDERED, ADJUDGED, AND DECREED :

1. That the Court has jurisdiction of the subject matter set forth in the complaint and of all the parties hereto with full power and authority to enter this judgment, and that the complaint alleges a combination in restraint of trade and commerce in the work of excavating and the competitive bidding thereon in violation of the Act of Congress approved July 2, 1890, entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," commonly known as the Sherman Anti-trust Act, and states a cause of action under said Act.

2. That defendant corporation, Excavators Administrative Association, Inc., be and the same is hereby dissolved.

3. That the defendants and each of them and each and all of their respective officers, directors, members, agents, servants, and employees, and all persons acting or claiming to act on behalf of the defendants, or any of them, be and they are hereby perpetually enjoined and restrained from engaging in, carrying out, maintaining or extending, directly or indirectly, any combination to restrain trade and commerce in the work of excavating and the competitive bidding thereon, such as is alleged in the complaint, and from entering into or carrying out, directly or indirectly, by any means whatsoever, any combination of like character or effect, and more particularly (but the enumeration following shall not detract from the inclusiveness of the foregoing) from doing, per-

2024

DECREES AND JUDGMENTS

forming, agreeing upon, entering upon, or carrying out any of the following acts or things:

(a) Operating any organization or engaging in any plan or procedure such as that commonly known as a bid depository whereby the elimination or restriction of low bids on any project in the District of Columbia is accomplished;

(b) Interfering or agreeing to interfere in any way with free and open competitive bidding on any and all construction projects in the District of Columbia.

4. That for the purpose of securing compliance with the judgment authorized representatives of the Department of Justice shall, upon the request of the Attorney General or an Assistant Attorney General, be permitted access, within the office hours of the defendants, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or control of defendants, relating to any of the matters contained in this judgment; that any authorized representative of the Department of Justice shall, subject to the reasonable convenience of the defendants, be permitted to interview officers or employees of defendants, without interference, restraint, or limitation by defendants; that defendants, upon the written request of the Attorney General, shall submit such reports with respect to any of the matters contained in this judgment as may from time to time be necessary for the proper enforcement of this judgment.

5. That jurisdiction of this case and of the parties hereto be, and it hereby is, retained by the Court for the purpose of giving full effect to this judgment and for the enforcement of a strict compliance therewith, and for the further purpose of making such other and further orders and judgments or taking such other action as may from time to time be necessary.

6. And that complainant recover its costs.

(S.) JAMES M. PROCTOR,

Judge.

Dated at Washington, D. C., this 22nd day of December 1939.

U.S. v. MASON CONTRACTORS ASSOCIATION OF THE DISTRICT OF COLUMBIA, ET
AL.

Civil No.: 6169

Year Judgment Entered: 1940

UNITED STATES OF AMERICA v. MASON CONTRAC-
TORS ASS'N, ET AL., DEFENDANTS.
IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE DISTRICT OF COLUMBIA.

Civil Action No. 6169.

UNITED STATES OF AMERICA, COMPLAINANT

VS.

MASON CONTRACTORS ASSOCIATION OF THE DISTRICT
OF COLUMBIA; NORMAN P. SMITH COMPANY, INC.; AN-

2074

DECREES AND JUDGMENTS

CHOR FIREPROOFING COMPANY, INC.; THE MERANDO COMPANY, INC.; HORTON MYERS & RAYMOND, INC.; GRECO & CAROSELLA Co., INC.; F. J. KELLEY; WILLIAM F. NELSON; E. A. RULE; A. R. MYERS; C. M. RAYMOND; D. B. WEISIGER; HOMER T. BOOTH; ROY E. SHOOK; CHARLES W. HAMMETT; E. F. GREENSTREET; SAM MERANDO; RAYMOND PUMPHREY; DENNIS DONOVAN; JOHN GARVY; THOMAS F. ELAM; AND CARROLL LARKIN, DEFENDANTS.

JUDGMENT.

This cause came on to be heard on this 12th day of March 1940, the complainant being represented by David A. Pine, United States Attorney for the District of Columbia, and Walter R. Hutchinson, Special Assistant to the Attorney General, and the defendants being represented by their counsel, said defendants having appeared voluntarily and generally and having waived service of process.

It appears to the Court that the defendants have consented in writing to the making and entering of this judgment;

It further appears to the Court that this judgment will provide suitable relief concerning the matters alleged in the complaint, and that by reason of the aforesaid consent of the parties it is unnecessary to proceed with the trial of the cause, or to take testimony therein, or that any adjudication be made of the facts.

Now, therefore, upon motion of the complainant, without taking any testimony or evidence, and without making any adjudication of the facts, and in accordance with said consent, it is hereby

ORDERED, ADJUDGED, AND DECREED:

I. That the Court has jurisdiction of the subject matter set forth in the complaint and of all the parties hereto with full power and authority to enter this judgment, and that the complaint alleges a combination in restraint of trade and commerce in contracting for

U. S. v. MASON CONTRACTORS, ASSN. 2075

masonry work and the competitive bidding thereon in violation of § 3 of the Act of Congress approved July 2, 1890, entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," commonly known as the Sherman Antitrust Act, and states a cause of action under said Act.

II. That the defendants and each of them and each and all of their respective officers, directors, members, agents, servants, and employees, and all persons acting or claiming to act on behalf of the defendants, or any of them, be, and they are hereby, perpetually enjoined and restrained from engaging in, carrying out, maintaining, or extending, directly or indirectly, any combination to restrain trade and commerce in contracting for masonry work and the competitive bidding thereon, such as is alleged in the complaint, and from entering into or carrying out, directly or indirectly, by any means whatsoever, any combination of like character or effect, and, more particularly (but the enumeration following shall not detract from the inclusiveness of the foregoing), from doing, performing, agreeing upon, entering upon, or carrying out any of the following acts or things:

(A) Operating any organization or engaging in any plan or procedure such as that commonly known as a bid depository whereby the elimination or restriction of low bids on any project in the District of Columbia is accomplished;

(B) Interfering or agreeing to interfere in any way with the right of any mason contractor to bid or to rebid on any project in the District of Columbia or with the right of any general contractor to request or receive bids or rebids from any qualified mason contractor and to enter into contracts or agreements with any such mason contractor;

(C) Interfering or agreeing to interfere in any way with free and open competitive bidding on any and all construction projects in the District of Columbia.

III. That for the purpose of securing compliance with the judgment, authorized representatives of the

2076

DECREES AND JUDGMENTS

Department of Justice shall, upon the request of the Attorney General or an Assistant Attorney General, be permitted access, within the office hours of the defendants, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or control of defendants, relating to any of the matters contained in this judgment; that any authorized representative of the Department of Justice shall, subject to the reasonable convenience of the defendants, be permitted to interview officers or employees of defendants, without interference, restraint, or limitation by defendants; that defendants, upon the written request of the Attorney General, shall submit such reports with respect to any of the matters contained in this judgment as may from time to time be necessary for the proper enforcement of this judgment.

IV. That jurisdiction of this case and of the parties hereto be, and it hereby is, retained by the Court for the purpose of giving full effect to this judgment and for the enforcement of a strict compliance therewith, and for the further purpose of making such other and further orders and judgments or taking such other action as may from time to time be necessary.

V. And that complainant recover its cost.

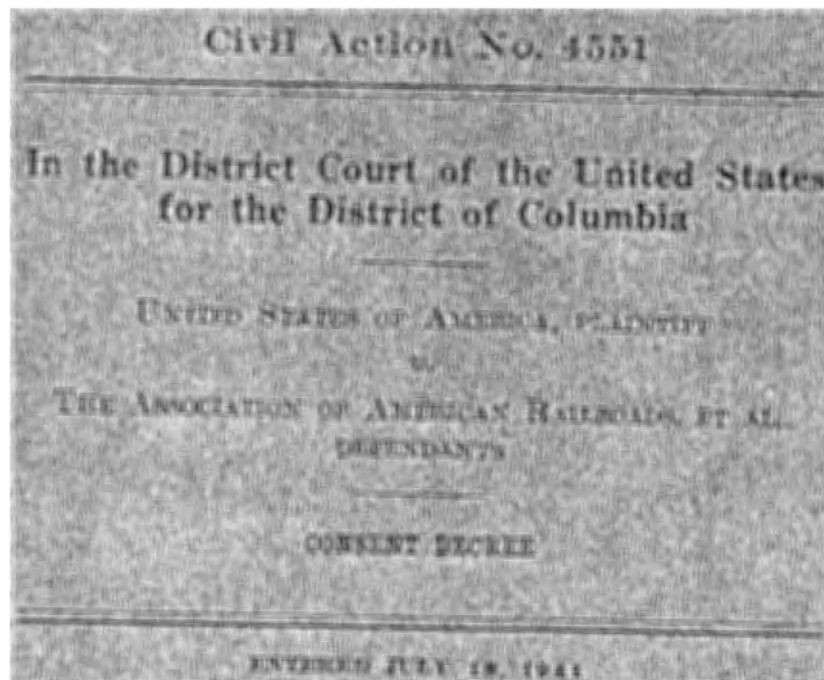
F. DICKINSON LETTS, *Judge*.

Dated at Washington, D. C., this 12th day of March, 1940.

U.S. v. THE ASSOCIATION OF AMERICAN RAILROADS, ET AL.

Civil No.: 4551

Year Judgment Entered: 1941



**In the District Court of the United States
for the District of Columbia**

Civil Action No. 4551

UNITED STATES OF AMERICA, PLAINTIFF

v.

THE ASSOCIATION OF AMERICAN RAILROADS,

John J. Pelley,
Augustus F. Cleveland,
Edward H. Bunnell,
Robert V. Fletcher,
Ralph Budd,
Martin W. Clement,
Charles E. Denney,
Edward M. Durham,
George B. Elliott,
Edward J. Engel,
Edward S. French,
William M. Jeffers,
Duncan J. Kerr,
James N. Kurn,
Ernest E. Norris,
Legh R. Powell, Jr.,
Henry A. Scandrett,
Daniel Upthegrove,
Daniel Willard,
Frederick E. Williamson,

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