

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	
DAIRYMEN, Inc.,)	No. 7634 A
Defendant.)	

SUPPLEMENTAL JUDGMENT

The United States, having moved to supplement the judgment entered on April 5, 1978, and the Court, being fully advised in the premises,

IT IS ORDERED AND ADJUDGED as follows:

1. Complaint of the plaintiff is dismissed with prejudice except for those portions which relate to the pooling practices of the defendant during the year 1971, with relation to Mississippi and those portions which relate to contracts entered into with the milk haulers in Tennessee and Indiana.
2. That the pooling activities engaged in by the defendant in Mississippi by pooling on Mississippi milk from the Georgia, Louisville, Lexington, Nashville, and Chattanooga Federal Order areas be and they are hereby declared illegal predatory practices in violation of Sections 1 and 2 of the Sherman Act.
3. That no injunctive relief be entered as to said practices, since they were discontinued some seven years ago, and there is no probability that they will recur.

IT IS FURTHER ORDERED AND ADJUDGED that as to the contracts entered into by and between defendant and milk haulers in Tennessee and Indiana, said contracts are in violation of Sections 1 and 2 of the Sherman Act, insofar as they prohibit a hauler who has more than one truck capable of hauling dairy products from hauling

dairy products produced by producers who are nonmembers of defendant.

This is not a final and appealable judgment.

Dated 6-21-78



Charles M. Allen
United States District Judge

cc: Counsel of Record

ENTERED
June 21, 1978
BY _____ CLERK
DEPUTY CLERK
Muller