

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

.....
UNITED STATES OF AMERICA,
Plaintiff
v.
ALLIED CHEMICAL CORPORATION, et al.,
Defendants.
.....

STIPULATION MODIFYING FINAL JUDGMENT
AGAINST DEFENDANT ALLIED CHEMICAL CORPORATION

Now come the plaintiff and the defendant Allied Chemical Corporation and, acting by and through their respective undersigned attorneys of record, hereby stipulate and agree, subject to the approval of the Court, that the final judgment hereinbefore entered against said defendant on November 28, 1960, shall be modified by amending paragraphs VI and VII to read, respectively, as follows:

VI

"The defendant, Allied Chemical Corporation, is ordered and directed, not later than sixty (60) days following the date of the entry of this Final Judgment, individually and independently (1) to review its then prevailing prices for road tar in New England, (2) to determine prices of road tar in New England based on its own manufacturing and overhead costs, the margin of profit individually desired and other lawful considerations, and (3) to establish in New England the prices determined under (2) above, which prices shall become effective not later than ninety (90) days following the date of the entry of this Final Judgment.

VII

"The defendant, Allied Chemical Corporation, is ordered and directed for a period of five years after the date of the entry of this Final Judgment to submit a sworn statement in the form set forth in Appendix A hereof, with each bid for road tar submitted to any governmental body in New England. Such sworn statement shall be signed by a principal officer of the division of the defendant, Allied Chemical Corporation, which handles road tar sales, by the person actually responsible for the preparation of said bid, and by the person who signed said bid; and a duplicate of each such sworn statement and of such bid, together with the workpapers used in the preparation of such bid shall be kept in the files of the defendant for a period of six years from the date of execution of such bids."

For the plaintiff:

/s/ John J. Galgay
JOHN J. GALGAY

/s/ Bernard Wehrmann
BERNARD WEHRMANN

/s/ Elhanan C. Stone
ELHANAN C. STONE

ALLIED CHEMICAL CORPORATION

Attorneys, Department of Justice

By Kevin Kern
Kevin Kern
Herrick Smith Donald Farley & Etchum
Its Attorneys

Approved:

/s/ Geo. C. Sweeney
United States District Judge

Dated: 1-18-61

A TRUE COPY ATTEST

/s/ Eleanor T. Forry
Deputy Clerk