

Trade Regulation Reporter - Trade Cases (1932 - 1992), United States v. Kaiser Aluminum & Chemical Corporation and Kawneer Company., U.S. District Court, E.D. Missouri, 1962 Trade cases ¶70,570, (Nov. 27, 1962)

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United States v. Kaiser Aluminum & Chemical Corporation and Kawneer Company.

1962 Trade cases ¶70,570. U.S. District Court, E.D. Missouri, Eastern Division. Civil No. 61C148(2). Dated November 27, 1962. Case No. 1608 in the Antitrust Division of the Department of Justice.

Clayton Act

Acquisition of Stock or Assets—Injunction Against Acquisition—Stipulation.—An integrated aluminum producer, under the terms of a stipulation, was enjoined from taking or effectuating any action to acquire all or any part of the stock or assets of a manufacturer of architectural aluminum products, except for the purchase of commodities in the normal course of business or the purchase of specific items of property the fair market value of which does not exceed \$750,000. The action was dismissed as to the manufacturer, and a prior preliminary injunction was dissolved. Furthermore, the injunction could not be enlarged or extended so as to apply to any acquisition other than the stock or. assets of the manufacturer.

For the plaintiff: D. Jeff Lance, U. S. Attorney, Edna Lingreen and J. E. Waters, Attorneys, Department of Justice.

For the defendants: William H. Armstrong, William H. Webster, Armstrong, Teasdale, Roos, Kramer & Vaughan, by William H. Armstrong, St. Louis, Missouri, Gordon Johnson, Thelen, Marrin, Johnson & Bridges, by Gordon Johnson, San Francisco, California, for Kaiser Aluminum & Chemical Corporation; and Paul Rava, St. Louis, Missouri, and William Piel, Jr., New York, N. Y., for Kawneer Company.

Stipulation and Order

MEREDITH, District Judge [*In full text*]: It is hereby stipulated by and between the parties, by their respective attorneys, and ordered, adjudged and decreed by the court that:

1. Defendant Kaiser Aluminum. & Chemical Corporation, its officers, directors, agents, employees and all other persons acting on its behalf are hereby enjoined from taking or effectuating any action to acquire all or any part of the stock or assets of Kawneer Company, except for the purchase of commodities in the normal course of business or the purchase of specific items of property the fair market value of which does not exceed \$750,000.
2. This cause is dismissed without prejudice with respect to defendant Kawneer Company, its officers, directors, agents, employees, successors and assigns;
3. The preliminary injunctions entered in this cause on June 29, 1961, are dissolved;
4. Jurisdiction is retained for the purpose of enabling the United States of America or Kaiser Aluminum & Chemical Corporation to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction or carrying out of this Order and for the enforcement of compliance therewith and punishment of violations thereof; provided, however, that in no event shall this Order be enlarged or extended so as to apply to any acquisition other than the stock or assets of Kawneer Company.