

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action
WESTINGHOUSE ELECTRIC CORPORATION ET AL.	:	No. 28105 and
	:	
Defendants.	:	No. 28107

STIPULATION AND ORDER FOR MODIFICATION OF
FINAL JUDGMENTS AS TO WAGNER ELECTRIC CORPORATION

WHEREAS, on September 30, 1963, Wagner Electric Corporation moved for an extension of time for compliance with paragraph VI (A) of the consent decrees herein, each dated October 1, 1962, making certain representations in connection therewith;

WHEREAS, Wagner Electric Corporation further represents that the latest price books, price rules, multiplier sheets, and catalogues containing pricing instructions for power and network transformers, issued by Wagner Electric Corporation, were sent out in 1959, 1960, and 1961, and that such price books, price rules, multiplier sheets, and pricing instructions contained in its catalogues have been in disuse since on or about March 28, 1961;

WHEREAS, Wagner Electric Corporation further represents that at all times since its price books, price rules, multiplier sheets, and pricing instructions contained in its catalogues fell into disuse as aforesaid, Wagner Electric Corporation has individually and independently reviewed and determined its prices for power and network transformers based upon lawful considerations, and such prices have not been determined by the aforesaid book prices, price rules, multiplier sheets, or pricing instructions contained in its catalogues;

WHEREAS, Wagner Electric Corporation further represents that it has destroyed or withdrawn, or will immediately destroy or withdraw, and have returned to its home office all price books, price rules, multiplier sheets, and pricing instructions contained in its catalogues, issued prior to October 1, 1962, by Wagner Electric Corporation covering power and network transformers and still in the possession of its employees; and

WHEREAS, Wagner Electric Corporation further represents that it will continue not to use the aforesaid price books, price rules, multiplier sheets, or pricing instructions contained in its catalogues in the sale of power and network transformers and will continue to individually and independently review and determine its prices for power and network transformers based upon lawful considerations.

NOW, THEREFORE, in consideration of the representations of Wagner Electric Corporation set forth above and in the aforesaid motion and affidavit attached thereto, it is stipulated and agreed by the United States of America and Wagner Electric Corporation, by their respective counsel, subject to the approval of the Court, that the date upon which Wagner Electric Corporation shall announce prices and price rules for power and network transformers, pursuant to paragraph VI (A) of the decrees entered in these proceedings on October 1, 1962, on or before be and the same hereby is extended to November 1, 1964, unless otherwise extended by stipulation of the parties or by further order of this Court.

Dated: January 9, 1964

/s/ DONALD G. BALTHIS
Donald G. Balthis
Attorney, Department of Justice

APPROVED AND SO ORDERED

WHITE & WILLIAMS

By: W. WILSON WHITE
W. Wilson White
Counsel for Wagner Electric Corporation

/s/ J. Cullen Garvey
United States Circuit Judge
Specially Designated to Sit in the
District Court

Dated: *January 9, 1964*