

Trade Regulation Reporter - Trade Cases (1932 - 1992), United States v. Chicago Linen Supply Assn.; Steiner American Corp.; F. W. Means & Co.; Chicago Linen Supply Co.; De Normandie Towel & Linen Supply Co.; Garfield Linen Supply, Inc.; Great Lakes Linen Supply Co.; Mickey's Linen & Towel Supply, Inc.; Morgan Linen Service, Inc.; Society Linen & Towel Supply Co.; Superior Laundry & Linen Supply Co.; Union Linen Supply Co.; Sam Stavrakas; and Milton Goldman., U.S. District Court, N.D. Illinois, 1968 Trade Cases ¶72,463, (Jul. 24, 1968)

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United States v. Chicago Linen Supply Assn.; Steiner American Corp.; F. W. Means & Co.; Chicago Linen Supply Co.; De Normandie Towel & Linen Supply Co.; Garfield Linen Supply, Inc.; Great Lakes Linen Supply Co.; Mickey's Linen & Towel Supply, Inc.; Morgan Linen Service, Inc.; Society Linen & Towel Supply Co.; Superior Laundry & Linen Supply Co.; Union Linen Supply Co.; Sam Stavrakas; and Milton Goldman.

1968 Trade Cases ¶72,463. U.S. District Court, N.D. Illinois, Eastern Division. Civil Action No. 66 C 1652. Entered July 24, 1968. Case No. 1908 in the Antitrust Division of the Department of Justice.

Sherman Act

Price Fixing—Linen Supplies—Dissolution of Trade Association—Consent Judgment.—A linen supply firm was required by a consent judgment to consent to dissolution of a trade association and forbidden to agree on prices or to allocate markets or customers.

For the plaintiff: Edwin M. Zimmerman, Robert B. Hummel, John E. Sarbaugh, and Ralph M. McCareins.

For the defendants: E. C. Heininger and Roger J. Kiley, Jr. (Mayer, Friedlich, Spiess, Tierney, Brown & Piatt, Chicago', Illinois, of counsel).

Final Judgment—Defendant Steiner American Corporation

PARSONS, D. J.: Plaintiff, United States of America, having filed its complaint herein on September 12, 1966, and the remaining defendant, Steiner American Corporation, having appeared and having filed its answer denying the substantive allegations of the complaint, and the plaintiff and said defendant, by their respective attorneys, having consented to the entry of this Final Judgment without trial or adjudication of any issues of fact or law herein, and without said judgment constituting evidence or an admission by any party with respect to any such issue:

Now, Therefore, before the taking of any testimony, without trial or adjudication of any issue of fact or law herein, and upon consent of the plaintiff and said defendant;

It Is Hereby Ordered, Adjudged, And Decreed as follows:

I

[Jurisdiction]

This Court has jurisdiction of the subject matter of this action and of the parties hereto. The complaint states claims against the defendant Steiner American Corporation under Section 1 of the Act of Congress of July 2, 1890, as amended, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," commonly known as the Sherman Act.

II

[Definitions]

As used in this Final Judgment:

- A. "Consenting defendant" means Steiner American Corporation.
- B. "Person" means any individual, partnership, firm, association, corporation, or other legal entity.
- C. "Linen supply" or "linen supplies" means such items as coats, aprons, hand towels, dish towels, sheets, pillow cases, tablecloths, napkins, and uniforms customarily in the trade furnished by a linen supplier to users thereof.
- D. "Linen supplier" means any person engaged in the business of furnishing linen supplies to users thereof.
- E. "Customer" means a user of linen supplies.
- F. "The Association" means the defendant Chicago Linen Supply Association.

III

[Applicability]

The provisions of this Final Judgment applicable to the consenting defendant shall apply to each of its officers, directors, agents, employees, subsidiaries, successors and assigns, and to all other persons in active concert or participation with such consenting defendant who shall have received actual notice of this Final Judgment by personal service or otherwise. For the purposes of this Final Judgment, the consenting defendant and its officers, directors, servants, employees, partners, and subsidiaries shall be deemed to be one person.

IV

[Prices and Markets]

The consenting defendant is enjoined and restrained from directly or indirectly entering into, adhering to, enforcing, or claiming any rights under any agreement, understanding, plan, or program with any other linen supplier or with any central agency or association of or for linen suppliers to:

- (a) Establish, maintain, stabilize, or adhere to prices, discounts, or other terms or conditions for the furnishing of linen supplies to customers;
- (b) Divide or allocate markets, territories, or customers for the furnishing of linen supplies.

V

[Dissolution of Association—Document Destruction]

A. The consenting defendant is ordered and directed to consent to the institution and prosecution of proceedings to wind up the affairs of and to terminate the existence of the defendant Association; provided, however, that subject to the other provisions of this Final Judgment, nothing contained in this Section V shall prohibit the defendants, or any of them, from organizing or joining any lawful association.

B. The consenting defendant is ordered and directed, within 60 days after the entry of this Final Judgment, to destroy its books and records of price lists, customer registrations, complaints, investigations, awards, and arbitration of disputes which refer or relate to the activities of the defendant Association.

VI

[Inspection and Compliance]

For the purpose of determining or securing compliance with this Final Judgment and for no other purpose, and subject to any legally recognized privilege, duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, upon reasonable notice to the consenting defendant made to its principal office, be permitted:

A. Reasonable access, during the office hours of consenting defendant, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or control of consenting defendant relating to any of the matters contained in this Final Judgment.

B. Subject to the reasonable convenience of consenting defendant and without restraint or interference from it, to interview the officers and employees of consenting defendant, who may have counsel present, regarding any such matters.

For the purpose of determining or securing compliance with this Final Judgment and for no other purpose, the consenting defendant, upon the written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, shall submit such written reports with respect to any of the matters contained in this Final Judgment as from time to time may be requested for the enforcement of this Final Judgment. No information obtained by the means provided in this Section VI shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the plaintiff except in the course of legal proceedings to which the United States is a party for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

VII

[*Jurisdiction Retained*]

Jurisdiction is retained for the purpose of enabling any of the parties of this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction, carrying out or modification of this Final Judgment and for the enforcement of compliance therewith and the punishment of the violation of any of the provisions contained herein.