

APPENDIX B:
SUMMARY OF REASONS FOR TERMINATING EACH JUDGMENT
(Ordered by Year Judgment Entered)

**UNITED STATES v.
RHODE ISLAND FOOD
COUNCIL, INC., *et al.***
Civil Action No. 157

Year Judgment Entered: 1941

Section of Judgment Retaining Jurisdiction: VIII

Description of Judgment: Defendant Association was required to be dissolved, and its members enjoined from, among other things, fixing wholesale or retail prices for the sale of groceries.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- The defendant grocers' association was dissolved, and five of the six corporate defendants bound by the judgment appear to no longer be in business from a search of corporate records with the Rhode Island Secretary of State's office.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.

**UNITED STATES v.
PROVIDENCE FRUIT &
PRODUCE BUILDING, INC., et. al.**
Civil Action No. 1533

Year Judgment Entered: 1954
Year First Modification Entered: 1977 (Allowing an exception for condemnation)
Year Second Modification Entered: 1977 (Allowing assignment and transfer of a lease)

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendants enjoined from, among other things, attempted monopolization of trade and commerce in fresh fruit and vegetable produce. The judgment required defendants to lease or rent space to any applicant desiring to act as a wholesaler, receiver, or jobber at its market.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Four of the five corporate defendants bound by the decree appear to no longer be in business from a search of corporate records with the Rhode Island Secretary of State's office, and the four individual defendants bound by the decree appear to no longer be living.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (attempted monopolization).

Public Comments: None.

**UNITED STATES v.
MACHINE CHAIN MANUFACTURERS
ASSOCIATION, *et al.***
Civil Action No. 1816

Year Judgment Entered: 1955

Section of Judgment Retaining Jurisdiction: XI

Description of Judgment: Defendant manufacturers of machine-made jewelry chains were enjoined from, among other things, entering into any understanding with other manufacturers or with any association to (1) fix or maintain prices or discounts, (2) circulate or exchange any price lists, or (3) circulate or exchange any statistics representing costs of operation for the purpose of fixing prices.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Seven of the twelve corporate defendants bound by the decree appear to no longer be in business from a search of corporate records with the Rhode Island Secretary of State's office.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.

**UNITED STATES v.
BOSTITCH, INC.**
Civil Action No.: 2362

Year Judgment Entered: 1958

Section of Judgment Retaining Jurisdiction: VII

Description of Judgment: Defendant, a manufacturer of stitchers and staplers, enjoined from, among other things, (1) entering into any agreement with its distributors to fix the prices, terms, or conditions for the sale of such products to third persons, and (2) entering into any agreement with any dealer, for a period of two years from the effective date of the decree, relating to resale price maintenance. The manufacturer also was enjoined from circulating information to distributors regarding prices prior to the time when such information was generally announced to the trade.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).
- Market conditions likely have changed. In particular, the defendant has been purchased by Stanley Works, and its stitchers and stapler products are now distributed through a variety of distribution channels including both online and retail store locations.

Public Comments: None.

**UNITED STATES v.
KAISER ALUMINUM &
CHEMICAL CORPORATION**
Civil Action No.: 2795

Year Judgment Entered: 1965

Year Judgment Modified: 1965 (Removed requirement to divest a plant)

Section of Judgment Retaining Jurisdiction: VII

Description of Judgment: Defendant required to divest the Bristol wire and cable plant that it had purchased because the purchase substantially lessened competition in the aluminum wire and cable field. Defendant also was enjoined from making similar acquisitions for a period of five years. After it was unable to sell the plant within 10 months, the judgment was modified to relieve Defendant of the requirement to sell the plant.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment was likely satisfied or expired by its terms.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (merger or acquisition substantially likely to lessen competition). The Department of Justice or the Federal Trade Commission can review any acquisition covered by the judgment that raises antitrust concerns. These agencies' ability to review transactions is facilitated by the Hart-Scott-Rodino Antitrust Improvements Act of 1976, 15 U.S.C. §18a, which requires companies notify the Department of Justice and the Federal Trade Commission when proposed transactions meet certain thresholds.

Public Comments: None.

**UNITED STATES v.
BRANCH RIVER WOOL
COMBING COMPANY, *et al.***
Civil Action No.: 3123

Year Judgment Entered: 1964

Year Judgment Modified: 1971 (Allowed successor company to acquire combing equipment)

Section of Judgment Retaining Jurisdiction: VIII

Description of Judgment: Defendant, a producer of wool top, required to sell the assets of a comber of wool top that it had acquired and was prohibited for five years from acquiring from any person engaged in the production of wool top any machinery or other asset used in the production of wool top. In 1971, the judgment was modified to allow the successor to Branch River to acquire combing equipment from another company.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (merger or acquisition substantially likely to lessen competition). The Department of Justice or the Federal Trade Commission can review any acquisition covered by the judgment that raises antitrust concerns. These agencies' ability to review transactions is facilitated by the Hart-Scott-Rodino Antitrust Improvements Act of 1976, 15 U.S.C. §18a, which requires companies notify the Department of Justice and the Federal Trade Commission when proposed transactions meet certain thresholds.

Public Comments: None.

**UNITED STATES v.
JOSEPH P. CUDDIGAN, INC., *et al.***
Civil Action No.: 3843

Year Judgment Entered: 1970

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendants enjoined from, among other things, conspiring with other plumbing contractors to allocate plumbing jobs, submit collusive or rigged bids, or fix prices for any plumbing jobs.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Seven of the thirteen corporate defendants bound by the decree appear to no longer be in business from a search of corporate records with the Rhode Island Secretary of State's office, and two of the three individual defendants bound by the decree appear to no longer be living.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing and customer allocation).

Public Comments: None.