

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	
MAREMONT AUTOMOTIVE PRODUCTS, INC.,)	NO. 60-C-1897
and SACO-LOWELL SHOPS,)	
)	
Defendants.)	Filed December 9, 1960

FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on December 9, 1960; defendant Saco-Lowell having appeared, and plaintiff and said defendant having by their respective attorneys consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein and without any admission by plaintiff or said defendant in respect to any such issue,

NOW, THEREFORE, before any testimony has been taken and without trial or adjudication of any issue of fact or law herein and upon consent of the parties signatory hereto as aforesaid, it is hereby

ORDERED, ADJUDGED AND DECREED, as follows:

I

This Court has jurisdiction of the subject matter of this action and of the parties hereto under Section 15 of the Act of Congress of October 15, 1914, entitled "An act to supplement existing laws against unlawful restraints and monopolies and for other purposes," commonly known as the Clayton Act, as amended, and the complaint sets forth a claim for relief against defendants under Section 7 of said Act.

II

(A) The provisions of this Final Judgment applicable to defendant Saco-Lowell shall apply also to its officers, directors, agents, employees, subsidiaries, affiliates, successors and assigns, and to all persons in active concert or participation with such defendant who receive actual notice of this Final Judgment by personal service or otherwise;

(B) The provisions of this Final Judgment applicable to defendant Saco-Lowell shall terminate upon such defendant filing in this action its consent to be bound by the terms of the Final Judgment entered herein this date against defendant Maremont.

III

As used in this Final Judgment:

(A) "Maremont" shall mean the defendant Maremont Automotive Products, Inc., with its principal office located at Chicago, Illinois;

(B) "Saco-Lowell" shall mean the defendant Saco-Lowell Shops, with its principal office located at Boston, Massachusetts;

(C) "Nu-Era" shall mean Nu-Era Corporation, with its principal office located at Rochester, Michigan, and being engaged in the sale of automotive mufflers for the replacement market;

(D) "Automotive mufflers" shall mean automotive mufflers for the after market, or original equipment market, or both;

(E) "Person" shall mean any individual, partnership, corporation, association or other legal entity.

IV

Defendant Saco-Lowell is enjoined and restrained from:

(A) Disposing of its automotive muffler business or assets owned by it used in or relating to the manufacture of automotive

mufflers without giving plaintiff sixty (60) days' notice prior to such disposal;

(B) Wilfully breaching the contract between Saco-Lowell and Nu-Era;

(C) Making any unreasonable demands with respect to prices in any negotiations regarding prices under its contract with Nu-Era;

(D) Giving Nu-Era notice, under its contract with Nu-Era, of termination of the contract, in the event of disagreement as to price, unless reasonable notice of such action is first given to the plaintiff.

V

For the purpose of securing compliance with this Final Judgment and for no other purpose, and subject to all legally recognized privileges, 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 Anti-trust Division to the defendant at its principal office, be permitted upon reasonable notice to such defendant:

(a) Reasonable access in the presence of defendant's counsel, during the office hours of such defendant, to the correspondence, memoranda and other records and documents in the possession or control of such defendant which relate to any of the matters contained in this Final Judgment;

(b) To interview officers or employees of such defendant, subject to the reasonable convenience of such officers and employees and of such defendant, who may have counsel present regarding any such matters;

(c) To require such defendant to submit such reports in writing with respect to any matters or activities of such defendant as may be necessary for the enforcement of this Final Judgment.

No information obtained by the means provided in this Section V 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.

VI

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

Dated: December 9, 1960

/s/ Edwin A. Robson
United States District Judge

We hereby consent to the making and entry of the foregoing

Final Judgment:

For the Plaintiff:

/s/ Robert A. Bicks
ROBERT A. BICKS
Assistant Attorney General

/s/ W. D. Kilgore, Jr.
W. D. Kilgore, Jr.

/s/ Paul A. Owens
PAUL A. OWENS

For the Defendant:

/s/ Roger W. Barrett
ROGER W. BARRETT

/s/ Earl A. Jinkinson
EARL A. JINKINSON

/s/ Robert B. Hummel
ROBERT B. HUMMEL

/s/ Robert M. Dixon
ROBERT M. DIXON

/s/ John D. Shaw, Jr.
JOHN D. SHAW, JR.

Attorneys, Department of Justice