

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

|                               |   |                                   |
|-------------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA,     | ) |                                   |
|                               | ) |                                   |
| Plaintiff,                    | ) |                                   |
|                               | ) |                                   |
| vs.                           | ) |                                   |
|                               | ) |                                   |
| ODOM COMPANY; ANCHORAGE COLD  | ) |                                   |
| STORAGE CO., INC.; and ALASKA | ) |                                   |
| DISTRIBUTORS COMPANY,         | ) |                                   |
|                               | ) |                                   |
| Defendants.                   | ) | No. 3:72-cv-0013-HRH <sup>1</sup> |
| _____                         | ) |                                   |

ORDER

Motion to Terminate Antitrust Judgment<sup>2</sup>

The United States moves pursuant to Rule 60(b), Federal Rules of Civil Procedure, to terminate the judgment entered in this case by United States District Judge Raymond E. Plummer on November 5, 1973. Plaintiff has given public notice and opportunity to comment with respect to the instant motion. On March 5, 2019, the court issued a further notice of motion to the defendants,<sup>3</sup> which notice was mailed by the court to counsel of

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<sup>1</sup>This case was filed at Anchorage, Alaska, as Case No. A-13-72. At some unknown date, the procedure for the numbering of cases was altered, such that the year of filing (in this case 1972) is now followed by the sequential number of the case (here, 13). The court is employing the current numbering system such that this case is now: No. 3:72-cv-0013-HRH.

<sup>2</sup>Docket No. 22.

<sup>3</sup>Docket No. 23.

record for the defendants. Plaintiff received no response to the public notice, and the court has received no response to its notice to counsel.

Plaintiff seeks termination of the judgment in this case based upon its age (approximately 45 years) and the policy of the United States Department of Justice, Antitrust Division, that judgments such as that entered in this case be terminated after no more than 10 years.

In consideration of the foregoing and pursuant to Rule 60(b)(5) and (6), Federal Rules of Civil Procedure, plaintiff's motion to terminate antitrust judgment is granted.

Judge Plummer's judgment and decree of November 5, 1973, is now terminated in all respects.

DATED at Anchorage, Alaska, this 29th day of March, 2019.

/s/ H. Russel Holland  
United States District Judge

cc: R. Cameron Gower  
United States Department of Justice  
Antitrust Division  
450 Fifth Street NW – Suite 7100  
Washington, DC 20530