

UNITED STATES v. ROBERT E. MILLER, INC.

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.

In Equity No. 20-315.

UNITED STATES OF AMERICA, PETITIONER,

VS.

ROBERT E. MILLER, INC., AND ROBERT E. MILLER,
DEFENDANTS.

FINAL DECREE.

This cause came on to be heard at this term, and upon consideration thereof, and upon motion of the petitioner by Francis G. Caffey, United States Attorney for the Southern District of New York, its attorney, and by Henry A. Guiler, Special Assistant to the United States Attorney, and Ryland W. Joyce, Special Assistant to the United States Attorney, of counsel, for relief in accordance with the prayer of the petition, and all the defendants therein having appeared by their attorney, Louis B. Epstein, and having consented thereto in open court:

Now, therefore, it is ORDERED, ADJUDGED *and* DECREED as follows, viz.:

1. That the defendants, and each of them, and their officers, agents, servants and employees, and all persons acting under, through, by or in behalf of them or either of them or claiming so to act, be perpetually enjoined, restrained and prohibited, directly or indirectly from,

(a) Agreeing to, fixing or establishing the prices at which U-Put-On rubber heels should or may be sold or resold by jobbers, dealers or anyone other than the defendant, Robert E. Miller, Inc., or in any manner whatsoever indicating the prices at which said U-Put-On rubber heels should or may be sold or resold by jobbers, or dealers, provided that nothing herein contained shall be so construed as to restrain the defendant, Robert E. Miller, Inc., from stating in advertisements, or otherwise, the prices at which it sells said U-Put-On rubber heels to its various grades of customers.

(b) Agreeing to discriminate or discriminating against any purchaser, prospective or otherwise, of said U-Put-On rubber heels, because of his refusal or failure to adopt, maintain or adhere to any of the prices, terms, conditions or policies, fixed, suggested or indicated by them, or any of them, for the sale or resale of said U-Put-On rubber heels.

(c) Aiding, abetting, assisting, individually or collectively, others to do all or any of the matters or things hereinbefore set forth or enjoined.

LEARNED HAND,

United States District Judge.

Dated, New York, January 28, 1921.