

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

In Equity No. 21-80.

UNITED STATES OF AMERICA, PETITIONER,

vs.

AMERICAN LITHOGRAPHIC COMPANY, HEYWOOD, STRASSER
& VOIGHT LITHOGRAPH COMPANY, PASBACH - VOICE
LITHOGRAPHIC COMPANY, WILLIAM STEINER SONS &
COMPANY, MOEHLER LITHOGRAPHIC COMPANY and CON-
SOLIDATED LITHOGRAPHING CORPORATION, DEFENDANTS.

AMENDED FINAL DECREE.

This cause came on to be heard at this Term, and upon consideration thereof, and upon motion of the defendants by their attorneys, Percival D. Oviatt and Stern & Reubens, for amendment of the Final Decree entered heretofore on March 26, 1921, and on hearing Emory R. Buckner, United States Attorney, by Alexander B. Royce and David H. McAlpin, 3rd, Special Assistants to the United States Attorney, of counsel.

NOW, THEREFORE IT IS ORDERED, ADJUDGED, AND DECREED as follows, viz.:

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

(a) Agreeing to, fixing, establishing or maintaining among themselves the prices to be charged for said cigar labels, bands, flaps, edgings, or other like articles.

(b) Agreeing to, fixing, establishing or maintaining among themselves minimum prices to be charged for said articles.

(c) Agreeing among themselves to charge purchasers of said articles uniform prices, or doing any act which will or may be calculated to result in uniform prices.

(d) Agreeing to, fixing or establishing among themselves the terms, discounts, conditions or policies, which should obtain with respect to the sale or disposal of said articles.

(e) Agreeing among themselves to advance prices for their products to purchasers of said articles, or advising or communicating with each other as to proposed advances in prices, or in any way circulating among themselves information concerning or relating to such proposed advances.

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

2. However, nothing in this decree is intended to be, nor shall be, construed as restraining or prohibiting the above named defendants from combining or agreeing among themselves or with others, for the following named purposes, or either of them:

(a) To establish a uniform trade practice relative to the length of time to be allowed for the payment of accounts, including a uniform discount for payment of such accounts in less than the specified time;

(b) To gather detailed information and statistics relative to cost and volume of production, actual prices prevailing in past transactions, stock on hand, and transportation costs, and to compile the same, and to publish such compilations with respect to any past period of time;

(c) To meet and discuss such information and statistics without, however, reaching or attempting to reach any agreement, understanding, express or implied, or any basis whatever for concerted action with respect to prices, production or any other means or methods tending to restrain competition.

PROVIDED THAT

(1) No person shall be compelled by any means, direct or indirect, to disclose any such facts or information for compilation or for any other purpose.

(2) The compilations so distributed shall be made available on request to others than the defendants.

(3) No detailed information or statistics bearing on future prices such as supplies or unfilled orders on hand shall be disclosed by any defendant to any competitor except as such information shall be published as a part of such compilation as aforesaid.

3. Jurisdiction of the cause is maintained for the purpose of giving full effect to this decree and of making such other and further orders and decrees or taking such other action, if any, as may be necessary or appropriate to the carrying out and enforcement of said decree, and for the purpose of enabling the United States to apply to the Court for a modification or enlargement of the provisions of said decree on the ground that they are inadequate and of enabling the defendants, or any of them, to apply for a modification of said provisions, on the ground that they, or any of them, have become inappropriate or unnecessary.

Dated, New York, June 9th, 1926.

JNO. C. KNOX,
United States District Judge.