

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

UNITED STATES v. NATIONAL ASSOCIATION OF RETAIL DRUGGISTS, ET AL.
Equity No. 10593

Year Judgment Entered: 1907

Section of Judgment Retaining Jurisdiction: Judgment does not explicitly mention retention of jurisdiction, but the Court has inherent authority to modify consent decrees they have issued. *See* Fed. R. Civ. P. 60(b)(5). *Accord United States v. Swift & Co.*, 286 U.S. 106, 114-15 (1932).

Description of Judgment: Defendants (40 corporate defendants and many more individual defendants) are enjoined from engaging in a price fixing conspiracy for proprietary drugs. The judgment also dissolves all price fixing agreements between the parties.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Individual defendants are deceased.
- Price fixing conspiracy ended decades ago.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (conspiracy to fix prices and allocate markets).

Public Comments: None.

UNITED STATES v. F.S. BOWSER & CO., ET AL.
Equity No. 117

Year Judgment Entered: 1915

Section of Judgment Retaining Jurisdiction: Judgment does not explicitly mention retention of jurisdiction, but the Court has inherent authority to modify consent decrees they have issued. *See* Fed. R. Civ. P. 60(b)(5). *Accord United States v. Swift & Co.*, 286 U.S. 106, 114-15 (1932).

Description of Judgment: Defendants enjoined from, among other things, agreeing to make false representations about competitors, initiating or threatening to initiate litigation against competitors based on false claims, attempting to obtain confidential information from competitors, interfering with competitors' customers, and predatory pricing.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- All ten individual defendants are deceased; the corporate defendant no longer exists, although one successor company is still in business.

Public Comments: None.

UNITED STATES v. EVANSVILLE CONFECTIONERS' ASSN., ET AL.
Equity No.: 86

Year Judgment Entered: 1929

Section of Judgment Retaining Jurisdiction: III

Description of Judgment: Defendants enjoined from fixing prices, allocating sales territories, and group boycotts.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- All corporate defendants no longer exist and all individual defendants are deceased.

Public Comments: None.

UNITED STATES v. GROWERS FINANCE CORPORATION
Civil Action No.: 914

Year Judgment Entered: 1945

Section of Judgment Retaining Jurisdiction: VI

Description of Judgment: Defendant enjoined from discriminating against any individual or company on the basis of the area of produce production or the place where produce is originally shipped.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- The only defendant no longer exists.

Public Comments: None.

UNITED STATES v. ALLIANCE AMUSEMENT COMPANY, ET AL.
Civil Action No.: 493

Year Judgment Entered: 1955

Section of Judgment Retaining Jurisdiction: XII

Description of Judgment: Defendants enjoined from, among other things, entering into pooling agreements and the joint ownership of motion picture theatres.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- All defendants no longer exist.

Public Comments: None.

UNITED STATES v. HERFF JONES COMPANY, ET AL.
Civil Action No.: JP65-C-465

Year Judgment Entered: 1967

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Corporate defendants enjoined from merging Herff Jones Company and John Roberts Manufacturing Company and from having common directors, officers or employees; individual defendants enjoined from holding corporate positions with or stock in both companies simultaneously. Defendant Herff Jones enjoined for ten years from acquiring any manufacturer of class rings without providing notice to the Antitrust Division.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Two individual defendants are deceased.
- Judgment terms have lapsed or been satisfied.

Public Comments: None.

UNITED STATES v. WAYNE CORPORATION
Civil Action No.: IP72-C-215

Year Judgment Entered: 1972

Section of Judgment Retaining Jurisdiction: VII

Description of Judgment: Defendants enjoined from fixing retail prices, allocating sales territories and enforcing any contract that fixed retail prices or allocated sales territories.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Defendant no longer makes product at issue – defined in judgment as “professional vehicles.”

Public Comments: None.