

U. S. vs. THE HALF-SIZE DRESS GUILD, INC.

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

In Equity No. 78-348.

UNITED STATES OF AMERICA, PETITIONER

VS.

THE HALF-SIZE DRESS GUILD, INC., ET AL., DEFENDANTS
FINAL DECREE AND JUDGMENT AGAINST THE HALF-SIZE
DRESS GUILD, INC.

This cause coming on to be heard on the 26th day of January, 1940, and the defendant having accepted service of process and having appeared and filed its answer to the petition herein,

And counsel for the petitioner and the defendant having consented to the making and entering of this decree,

Now, therefore, without taking any testimony or evidence and in accordance with said consent of counsel, it

is hereby

ORDERED, ADJUDGED and DECREED as follows:

I. That the Court has jurisdiction of the subject matter and of all the parties hereto; that the petition states a cause of action against the defendant under the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," and the acts amendatory thereto and supplemental thereof.

II. That the defendant, its successor, or successors, and its officers, directors, agents, servants, employees, and all persons acting on its behalf, or claiming so to act, be, and they hereby are, perpetually enjoined and restrained from in any way maintaining, continuing, or reviving, either directly or indirectly, in whole or in part, by any means whatsoever, the combination, conspiracy and restraint of trade and commerce in women's dresses, described in the petition herein, or any combination, conspiracy or restraint similar thereto, as more particularly set out in Paragraph III immediately following.

III. That the defendant, its successors, officers, directors, managers, agents, servants, employees, and all persons acting or claiming to act under or on behalf of it, be, and they hereby are, permanently and perpetually enjoined and restrained from hereinafter entering into, or participating in, any agreement, arrangement, or understanding, express or implied, to fix or to maintain prices, or to restrict allowances, reductions or discounts at which manufacturers of women's and misses' dresses may offer their product for sale.

IV. That, for the purpose of securing compliance with this decree, authorized representatives of the Department of Justice shall, at the request of the Attorney General or an Assistant Attorney General, be permitted access, within the office hours of defendant, to all books, ledgers, accounts, correspondence, memoranda, and other records and ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or control of defendant, relating to any of the matters contained in

this decree, including (but without limitation) the sale, pricing, or distribution of dresses, the representation by defendant of its members, or any of them, in any contract, agreement, understanding, or transaction respecting the sale, pricing, or distribution of dresses, and the dealings and relations of defendant with respect to the sale, pricing, or distribution of dresses with manufacturers or jobbers of dresses, with trade, commercial, and industrial associations, institutes, and chambers, and with any other corporation, association, or individual; that any authorized representative of the Department of Justice shall, subject to the reasonable convenience of defendant, be permitted to interview officers or employees of defendant, without interference, restraint, or limitation by defendant; that defendant, on the written request of the Attorney General, shall submit such reports with respect to any of the matters contained in this decree as may from time to time be necessary for the proper enforcement of this decree.

V. That jurisdiction of this cause and of the parties hereto is retained for the purpose of giving full effect to this decree and for the enforcement of strict compliance herewith, and for the further purpose of making such other and further orders and decrees or taking such other action as may from time to time be necessary.

Dated January 26th, 1940.

Approved:

[s.] WM. BONDY,
United States District Judge.