

APPENDIX A:

UNITED STATES v. PAC. COAST PLUMB. SUPPLY ASS'N,
ET AL.

CIVIL NO. 1686-92

JUDGMENT ENTERED JAN. 6, 1912

**UNITED STATES v. PACIFIC COAST PLUMBING
SUPPLY ASSOCIATION.**

IN THE CIRCUIT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF CALIFORNIA, SOUTHERN
DIVISION.

Equity No. 1686-92.

UNITED STATES OF AMERICA, PETITIONER,
vs.
PACIFIC COAST PLUMBING SUPPLY ASSOCIATION
AND OTHERS, DEFENDANTS.

DECREE OF INJUNCTION.

This cause coming on to be heard before the Honorable Olin Wellborn, United States district judge, and the parties herein having duly appeared by counsel, and petitioner having moved the court for an injunction in accordance with the prayer of the bill, and by consent of all parties in open court,

Now, therefore, it is adjudged, ordered, and decreed as follows:

(1) That the said defendants, the Pacific Coast Plumbing Supply Association and all the members of said association,

National Committee of the Confederated Supply Associations,
H. R. Boynton Co.,
A. H. Busch Co.,
Crane Co.,
Harper & Reynolds Co.,
Holbrook, Merrill & Stetson,
W. W. Montague & Co.,
The Tay Co. of Los Angeles,
N. O. Nelson Manufacturing Co.,
Dalziel-Moller Co.,
Haines, Jones & Cadbury,
R. W. Kinney Co.,
Mark-Lally Co.,
George H. Tay Co.,
Miller-Enright Co.,
P. F. Howard Co.,
Western Metal Supply Co.,
The Gauld Co.,
M. L. Kline,
California Steam and Plumbing Supply Co.,
The Peerless Pacific Co.,
Bowles Co.,

The A. Hambach Co.,
Holley-Mason Hardware Co.,
Hughes & Co.,
Walsh & Gardner,
William H. Burnham,
H. M. Haldeman,
C. H. Roddan,
B. N. Coffman,
C. L. Moore,
S. W. Hughes,
Al E. Goddard,
Frank S. Hanley,
A. H. Busch,
Thomas A. Burk,
F. H. Knapp,
C. W. Weld,
Jud Saeger,
F. A. Nitchey,
Lewis B. Peeples,
Charles F. Harper,
C. C. Reynolds,
Isaac B. Newton,
Charles Holbrook,
William Swartley,
H. Morris,
E. A. Blodgett,
W. W. Montague,
A. A. Watkins,
A. Cheminant,
L. Kimble,
Carl Parker,
Francis J. Baker,
W. S. Babson,
John J. Foy,
James Dalziel,
Andrew Dalziel,
H. C. Marsh,
Ralph W. Kinney,
J. H. Wright,

Harry T. Lally,
 Clarence Mark,
 T. L. Enwright,
 D. M. Miller,
 G. A. Burns,
 P. F. Howard,
 Alice T. Corrigan,
 B. W. McKensie,
 W. H. Beckett,
 Charles Gauld,
 H. D. Curtis,
 M. L. Kline,
 George R. Smith,
 H. F. Weaver,
 C. D. Bowles,
 Albert Hambach,
 A. E. Koephli,
 F. H. Mason,
 J. M. Dutton,
 E. J. Walsh,
 A. R. Gardner,
 E. H. Hughes,
 Alfred A. Fowle, and
 Joseph R. Whalen,

and each and all of them, their directors, 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, and they are hereby, perpetually enjoined, restrained, and prohibited from combining, conspiring, confederating, or agreeing together, or with others, expressly or impliedly, directly or indirectly, to prevent manufacturers of plumbing supplies engaged in selling and shipping plumbing supplies among the several States from selling or shipping such supplies to any person who is not a member of the said Pacific Coast Plumbing Supply Association, or who is not listed on the so-called Blue Book published by the said defendant, National Committee of the Confederated Supply Associations, and entitled "List of Jobbers of Plumbing Supplies in the United States," or any book, pamphlet, or list of like

character; and that they and all and each of them be and are likewise enjoined and prohibited from publishing, causing to be published, or aiding in the publication, distribution, or circulation of any book, pamphlet, or list wherein is contained the names of jobbers of plumbing supplies located in the territory embraced by the said Pacific Coast Plumbing Supply Association, to wit, the States of California, Washington, and Oregon, who have announced their intention or agreed, directly or indirectly, expressly or impliedly, to work in harmony with said association, or who conform or are supposed to conform to the definition of a jobber as given in said Blue Book, or any other arbitrary definition that may be adopted by defendants, or any of them, or by any other body or person.

2. That the said defendants, and each and all of them, their directors, officers, agents, servants, and employees, be and are hereby enjoined and prohibited from publishing or distributing or aiding in the publication or distribution of any list or lists of manufacturers of plumbing supplies who have expressly or impliedly, directly or indirectly, agreed to sell only to members of said Pacific Coast Plumbing Supply Association, or only to persons, firms, or corporations listed in said Blue Book or in any book, pamphlet, or list of like character; and they are also enjoined and prohibited from circulating or causing to be circulated or aiding in the circulation of the name of any manufacturer of plumbing supplies who is or may be selling and shipping plumbing supplies to persons, firms, or corporations who are not members of said Pacific Coast Plumbing Supply Association, or who are not listed in said Blue Book, or any book, pamphlet, or list of like character.

3. That the said defendants and their directors, officers, agents, servants, and employees be, and are hereby, enjoined and prohibited from circulating or causing to be circulated or aiding in the circulation of the name of any person, firm, or corporation, located in the territory embraced by the said Pacific Coast Plumbing Supply Association, to wit, the States of California, Washington, and

Oregon, who is or may be desirous of doing or attempting to do an interstate and foreign trade and commerce as a jobber of plumbing supplies, but who is not a member of said Pacific Coast Plumbing Supply Association, or listed in said Blue Book, or any book, pamphlet, or list of like character, and they are enjoined and prohibited from publishing or distributing or aiding in the publication or distribution of any list or lists of persons, firms, or corporations, located in said territory, who are not members of said Pacific Coast Plumbing Supply Association, but who are attempting to do business as jobbers of plumbing supplies, though not recognized by defendants as legitimate jobbers, and not listed in said Blue Book, or any book, pamphlet, or list of like character.

4. That the said defendants, their directors, officers, agents, servants, and employees, and each and all of them, be and are enjoined and prohibited from combining or conspiring together to boycott any manufacturer engaged in interstate or foreign commerce in plumbing supplies, for or on account of any such manufacturer having sold, or being about to sell, plumbing supplies to any person, firm, or corporation located in said territory who is not a member of said Pacific Coast Plumbing Supply Association, or who is not listed on said Blue Book, or any book, pamphlet, or list of like character, and also from combining and conspiring together to prevent any person, firm, or corporation located in said territory from being able to purchase such plumbing supplies from manufacturers of the same, or from other dealers therein, and, further, from communicating, either directly or indirectly, with any manufacturer or dealer for the purpose of inducing such manufacturer or dealer not to sell plumbing supplies to any person, firm, or corporation located in said territory because such person, firm, or corporation is not a member of said association, or does not conform, or is supposed not to conform, to the definition of a jobber as given in said Blue Book, or any other arbitrary definition that may be adopted by defendants or any of them, or by any other body or person.

5. That the defendants, their officers, directors, agents, servants, and employees, be and are hereby enjoined and prohibited from combining, conspiring, confederating, or acting together to prevent any person, firm, or corporation located in said territory from engaging in interstate and foreign trade and commerce as a jobber of plumbing supplies, by any of the unlawful means described in the petition.

6. That the defendants, their officers, directors, agents, servants, and employees, be and are hereby enjoined and prohibited from engaging in or carrying into effect the combination described in the original petition and adjudged illegal hereby, and from engaging in or entering into any like combination or attempt to monopolize, the effect of which would be to restrain commerce in plumbing supplies among the several States of the United States, or in the Territories of the United States, or with foreign nations, and from making any express or implied agreement or arrangement together, or one with another, like that adjudged illegal herein, the effect of which would be to prevent the flow of interstate and foreign trade and commerce in plumbing supplies from the manufacturer to the consumer from being free and unrestrained.

OLIN WELLBORN,
United States District Judge.

[January 6, 1912.]