

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

Case No.: Equity No. 48-A

Case Name: U.S. v. NEW DEPARTURE MANUFACTURING COMPANY, ET AL.

Year Judgment Entered: 1913

Section of Judgment Retaining Jurisdiction: Third to last paragraph

Description of Judgment: Defendants enjoined from, among other things, conspiring to restrain and monopolize the manufacture and sale of bicycle and motorcycle parts, specifically coaster brakes. The judgment also dissolved the "Association of Coaster Brakes Licensees" through which defendants imposed prices and resale prices on coaster brakes.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).
- Market and technological conditions have likely changed (motorcycle braking systems dating from before the First World War).
- Individual defendants are likely deceased.

Public Comments: None.

Case No.: 3672

Case Name: U.S. v. ABRASIVE GRAIN ASSOCIATION, ET AL.

Year Judgment Entered: 1948

Section of Judgment Retaining Jurisdiction: XII

Description of Judgment: Defendants enjoined from agreeing to eliminate competition among members of a trade association by fixing uniform conditions of sale or exchanging price lists for artificial abrasive grain.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.

Case No.: 223

Case Name: U.S. v. SCHINE CHAIN THEATRES, INC., ET AL.

Year Judgment Entered: 1949 (modified 1952)

Section of Judgment Retaining Jurisdiction: VII

Description of Judgment: Defendants enjoined from, among other things, pooling purchasing of licenses by combining open and closed towns in the negotiation of license fees for movie pictures exhibited in theaters, and attempting to control admission prices. Defendant Schine also required to divest certain movie theaters in New York and Ohio. The decree is consistent with a Supreme Court decision in this case that affirmed in part and reversed in part the initial district court decision. 334 U.S. 110 (1948).

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- All terms of the Judgment have been satisfied.
- Defendant likely no longer exists (Schine Theatres)

Public Comments: None.

Case No.: 5237

Case Name: U.S. v. GENERAL RAILWAY SIGNAL COMPANY, ET AL.

Year Judgment Entered: 1955

Section of Judgment Retaining Jurisdiction: XI

Description of Judgment: Defendants enjoined from, among other things, combining or conspiring with any other company engaged in the manufacture of highway crossing gates or gate activating mechanisms. Defendants also enjoined from merging or maintaining common ownership or management and required to license certain patents relating to highway crossing gates or gate activating mechanisms.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, bid rigging, market allocation).

Public Comments: None.

Case No.: 7337

Case Name: U.S. v. THE RUDOLPH WURLITZER COMPANY

Year Judgment Entered: 1958

Section of Judgment Retaining Jurisdiction: VII

Description of Judgment: Defendant enjoined from, among other things, limiting or restricting to whom a distributor may sell coin-operated phonographs and limiting or restricting the re-sale of such coin-operated phonographs.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Market conditions have likely changed (coin-operated phonographs).

Public Comments: None.

Case No.: 84-32

Case Name: U.S. v. SCOTT AVIATION CORPORATION

Year Original Judgment Entered: 1961 (modified 1981)

Section of Original Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendants enjoined from enforcing resale price setting/maintenance agreements with distributors and dealers of artificial breathing devices; the judgment was later modified to prohibit resale price setting/maintenance but removed prohibitions against customer, territorial, or other resale restrictions upon its distributors and export/import limitations on dealers.

Reason Judgment Should Be Terminated:

- Judgment more than ten years old.

Public Comments: None.

Case No.: 8994

Case Name: U.S. v. THE GENERAL FIREPROOFING COMPANY, ET AL.

Year Judgment Entered: 1962

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendants, who were the principal manufacturers and sellers of metal furniture in the United States, were prohibited from both fixing prices (and discounts) for the sale of metal office furniture and allocating or dividing customers, territories, or markets.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, market allocation).

Public Comments: None.

Case No.: 8995

Case Name: U.S. v. SPERRY RAND CORPORATION, ET AL. (Diebold, Inc.)

Year Judgment Entered: 1962

Section of Judgment Retaining Jurisdiction: VIII

Description of Judgment: Defendant prohibited from fixing prices, allocating markets, and participating in trade association practices in violation of consent decree in sale of fire resistant filing cabinets.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, market allocation).

Public Comments: None.

Case No.: 8995

Case Name: U.S. v. SPERRY RAND CORPORATION, ET AL. (Sperry Rand Corporation, The General Fireproofing Company, Steelcase, Inc., and Art Metal, Inc.)

Year Judgment Entered: 1962

Section of Judgment Retaining Jurisdiction: XI

Description of Judgment: Defendants prohibited from fixing prices, allocating markets, and participating in trade association practices in violation of consent decree in sale of fire resistant filing cabinets.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, market allocation).

Public Comments: None.

Case No.: 8996

Case Name: U.S. v. THE SHAW-WALKER COMPANY, ET AL.

Year Judgment Entered: 1962

Section of Judgment Retaining Jurisdiction: XI

Description of Judgment: Defendants enjoined from entering into any agreement to fix prices, differentials, discounts, or extras for the sale of fire resistant filing cabinets.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.

Case No.: 9004

Case Name: U.S. v. GREATER BUFFALO PRESS, INC., ET AL. (The Hearst Corporation)

Year Judgment Entered: 1965

Section of Judgment Retaining Jurisdiction: VII

Description of Judgment: Defendant enjoined from engaging in practices that involved allocating customers or fixing prices for color comic supplements, restricting the printing or sale of color comic supplements, and tying the licensing and printing of color comic supplements.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, market allocation).

Public Comments: None.

Case No.: 1970-283

Case Name: U.S. v. AMERICAN STEAMSHIP COMPANY, ET AL.

Year Judgment Entered: 1970

Section of Judgment Retaining Jurisdiction: XI

Description of Judgment: Defendants were required to divest a specific steamship company within two years of the date of the final judgment. For a five year period from the date of the judgment, Defendants were enjoined from acquiring particular types of cargo ships without prior Government or Court approval.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- All terms of the Judgment have been satisfied.

Public Comments: None.

Case No.: 9004

Case Name: U.S. v. GREATER BUFFALO PRESS, INC., ET AL. (Greater Buffalo Press, Inc., International Color Printing Company, Southwest Color Printing Corporation, & Dixie Color Printing Corporation)

Year Judgment Entered: 1973 (modified 1975)

Section of Judgment Retaining Jurisdiction: VII

Description of Judgment: Judgment required Greater Buffalo Press to divest its interest and control over the International Color Printing Corporation (International) and the Dixie Color Printing Corporation (Dixie). The district court also appointed a special master-trustee to effectuate the sale of International and Dixie. By 1975, the special master was unable to effectuate the sale of International and Dixie, and the court accepted, without opposition from the Antitrust Division, the special master's final report and ordered that the stock of International and Dixie being held by the special master pending a divestiture sale be returned to Greater Buffalo Press and that the special master be discharged from his duties.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old
- All terms of the Judgment have been satisfied.

Public Comments: None.

Case No.: 75-334

Case Name: U.S. v. GREATER BUFFALO ROOFING & SHEET METAL CONTRACTORS' ASSOCIATION, INC.

Year Judgment Entered: 1977

Section of Judgment Retaining Jurisdiction: XI

Description of Judgment: Defendant trade association enjoined from, among other things, fixing the terms and lengths of roof installation guarantees and roof installation prices.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.
