APPENDIX A:

THE *Southwestern Greyhound Lines* FINAL JUDGMENT

Civil Action No. 51-cv-2893-rhs

Year Judgment Entered: 1953

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE UNITED STATES OF AMERICA, Plaintiff, v. SOUTHWESTERN GREYHOUND LINES, INC., MISSOURI, KANSAS AND OKLAHOMA COACH LINES, and TRANSCONTINENTAL BUS SYSTEMS, INC., Defendants.	CIVIL ACTION NO. 2893

FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on June 26, 1951, and having filed its amendment to the complaint on January 23, 1953; the defendants having appeared herein and filed their respective answers to said complaint on January 18, 1952; and this cause having come on for trial November 13, 1952, and said trial having been completed November 13, 1952; and the court having filed its opinion herein January 23, 1953, and having filed its findings of fact and conclusions of law on March 27, 1953, finding and adjudging the defendants, and each of them, to have violated Sections 1 and 2 of the Sherman Act;

NOW THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED as follows:

I

The court has jurisdiction of the subject matter hereof and of all the parties hereto. The amended complaint states a cause of action against the defendants and each of them under Sections 1 and 2 of the Act of Congress of July 2, 1890, entitled "An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies," as amended.

II

As used in this Final Judgment:

(A) "Terminal facilities" means the Union Bus Terminal at 319 South Cincinnati Street, Tulsa, Oklahoma, now leased by defendants, and operated by them as a bus terminal for joint and common use by defendants, other motor carrier tenants and their respective passengers and patrons;

(B) "Terminal agreement" means any contract, agreement or understanding to which the defendants, or any of them, may be a party, relating to the control, management or operation of terminal facilities, and governing the use of such terminal facilities by motor carriers and their passengers;

(C) "Motor carrier" means a common carrier by motor vehicle of passengers and their effects;

(D) "Union Transportation Company" means Union Transportation Company, a partnership organized under the laws of the State of Oklahoma, and any successor thereto.

III

The defendants, and each of them, have violated and are now violating Section 1 of the Act of Congress of July 2, 1890, (26 Stat. 209, 15 U.S.C. Sec. 1) entitled "An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies," as amended, commonly known as the Sherman Act, by engaging in a combination and conspiracy to eliminate competition in the interstate transportation of passengers by motor vehicle.

IV

The defendants, and each of them, have violated and are now violating Section 2 of said Sherman Act by engaging in an attempt to monopolize a part of trade and commerce among the several States of the United States in the transportation of passengers by motor vehicle.

V

The provisions of this Final Judgment applicable to any defendant shall apply to each such defendant and to each of its officers, directors, agents, employees, subsidiaries, successors and assigns, and to all other persons acting under, through or for such defendant.

VI

Defendants are jointly and severally enjoined and restrained from entering into, adhering to, maintaining or furthering any contract, agreement, arrangement, understanding or combination to restrict, limit orpprevent the Union Transportation Company from enjoying the privileges and benefits of the terminal facilities on a basis of equality with any defendant.

VII

Defendants are jointly and severally ordered and directed, forthwith to:

(A) Reinstate the Union Transportation Company in the terminal facilities and allow the Union Transportation Company to use the said terminal facilities upon such reasonable and non-discriminatory terms and conditions as will, with respect to the use, character and cost of service, place the said Union Transportation Company on a basis of equality with any defendant.

(B) Take such steps as may be reasonable and necessary to insure the full and complete use by the Union Transportation Company of the terminal facilities as hereinabove provided in subsection (A) of this Section.

VIII

Defendants are jointly and severally enjoined and restrained from, directly or indirectly, through terminal agreements or otherwise, discriminating against Union Transportation Company in its use and enjoyment of said terminal facilities in any manner, including specifically, but not limited to, the following:

(A) The sale and issuance of tickets at said terminal facilities;

(B) The routing of passengers pursuant to tickets sold and issued at said terminal facilities;

(C) The dissemination of travel information to the public, including information with respect to motor carrier schedules and times of arrival and departure of motor vehicles using said terminal facilities;

(D) The terms and conditions upon which motor carriers are permitted to use terminal facilities.

IX

Each defendant is hereby enjoined and restrained from urging, coercing or inducing, or attempting to urge, coerce or induce, in any manner, the Union Transportation Company to:

(A) Restrict, limit, abandon or terminate any service heretofore or hereafter provided by it;

(B) Limit, restrict or cease competition with any defendant or any other motor carrier.

X

The defendants are jointly and severally enjoined and restrained from, directly or indirectly, evicting Union Transportation Company, or otherwise denying to Union Transportation Company the privileges and benefits of such terminal facilities except upon application to, and approval by, this Court.

XI

The defendants are ordered and directed forthwith to give to each employee or agent connected with the management or operation of the terminal facilities, and to each motor carrier using such terminal facilities jointly with the defendants, notice of the provisions of this Final Judgment.

XII

For the purpose of securing compliance with this Final Judgment and for no other purpose, duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and upon reasonable notice to any defendant herein made to the principal office of such defendant, be permitted, subject to any legally recognized privilege, (A) access, during the office hours of said defendant, to all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of said defendant relating to any of the matters contained in this Final Judgment, and (B) subject to the reasonable convenience of said defendant and without restraint or interference from it, to interview officers and employees of such defendant, who may have counsel present, regarding such matters. Upon written request of the Attorney General, or the Assistant Attorney General in charge of the Antitrust Division, on reasonable notice to any defendant herein made to its principal office such defendant shall submit such written reports as may from time to time be reasonably necessary to the enforcement of this Final Judgment. No information obtained by the means provided in this Section XII shall be divulged by the Department of Justice to any person other than a duly authorized representative of the Department of Justice except in the course of legal proceedings to which the United States is a party for the purpose of securing compliance with this Final Judgment or as otherwise required by law.

XIII

Jurisdiction is retained by this court for the purpose of enabling any of the parties to this Final Judgment to apply to the Court at any

time for such further orders and directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment, for the amendment, modification or termination of any of the provisions hereof, for the enforcement of compliance therewith and for the punishment of violations thereof.

XIV

Judgment is entered against the defendants for all costs to be taxed in this proceeding.

Dated: March 27, 1953

Royce

(Signed) Royce H. Savage

United States District Judge