

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

Case No.: 159

Case Name: United States v. Aluminum Co. of Am.

Year Judgment Entered: 1912

Section of Judgment Retaining Jurisdiction: None

Description of Judgment: This judgment was aimed at restraining Defendant Aluminum Company of America's ("Alcoa's") developing monopoly. Alcoa was enjoined by the judgment from, among other things, entering into reciprocal purchase agreements with its suppliers. Additionally, the judgment contains numerous provisions aimed at voiding specific anticompetitive agreements and negating specific contractual terms in other agreements.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- The judgment should be terminated because, at over 100 years old, it is well past the age where an antitrust judgment presumptively becomes either irrelevant to, or inconsistent with, competition. If the Antitrust Division learns of the defendants engaging in unlawful behavior in the future, it has all the investigative and prosecutorial powers necessary to ensure that competition is not harmed.

Public Comments: None.

Case No.: 151

Case Name: United States v. Nat'l Ass'n of Master Plumbers of the United States, et al.

Year Judgment Entered: 1917

Section of Judgment Retaining Jurisdiction: None

Description of Judgment: Defendants, retail dealers and installers of plumbing goods organized as the National Association of Master Plumbers of the United States (consisting of individuals and state and local trade associations), were enjoined from, among other things, entering into price-fixing agreements, market allocation agreements, and participating in group boycotts.

Reasons Judgment Should Be Terminated:

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

Public Comments: None.

Case No.: 2162

Case Name: United States v. Candy Supply Co., et al.

Year Judgment Entered: 1928

Section of Judgment Retaining Jurisdiction: III

Description of Judgment: Defendants, a candy supply company and its stockholders (individuals and companies), were enjoined from, among other things, entering into agreements to fix prices and to allocate markets. Defendants were also enjoined from boycotting certain candy and confectionary manufacturers who sold products that Defendants also sold.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, market allocation, and group boycott).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 698

Case Name: United States v. Voluntary Code of the Heating, Piping and Air Conditioning Indus. for Allegheny County, et al.

Year Judgment Entered: 1939

Section of Judgment Retaining Jurisdiction: VIII

Description of the Judgment: Defendants (heating and piping trade associations, companies involved in the sale of heating and piping equipment, and individual defendants) were perpetually enjoined and restrained from, among other things, fixing prices of heating equipment and installation services, maintaining a bid depository to limit competition for heating installations, and preventing heating contractors from competing with Defendants within the city of Pittsburgh. Additionally, the judgment dissolved, among other entities, a trade association organized by Defendants.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, bid rigging, and market allocation).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 780

Case Name: United States v. W. Pa. Sand and Gravel Ass'n, et al.

Year Judgment Entered: 1940

Section of Judgment Retaining Jurisdiction: IV

Description of Judgment: Defendants (individuals, companies, and a trade association) were enjoined from, among other things, setting the price of sand and gravel products or requiring dealers of sand and gravel products to maintain suggested resale prices. Defendants were also enjoined from rigging bids related to government contracts for sand and gravel products.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing and bid rigging).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 805

Case Name: United States v. Marble Contractors Ass'n, et al.

Year Judgment Entered: 1940

Section of Judgment Retaining Jurisdiction: V

Description of Judgment: Defendants—individuals, companies, and a trade association—were enjoined from, among other things, creating bid depositories to fix the price of marble, limiting the employment of union workers, and accepting or demanding labor procurement fees from contractors or others who were not members of the defendant-marble contractors association.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (bid rigging).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 806

Case Name: United States v. Pittsburgh Tile & Mantel Contractors' Ass'n, et al.

Year Judgment Entered: 1940

Section of Judgment Retaining Jurisdiction: V

Description of Judgment: Defendants, individuals and companies operating through a trade association, were enjoined from, among other things, maintaining a bid depository to fix the price of marble and marble installations.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (bid rigging).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 840

Case Name: United States v. Employing Plasterers' Ass'n of Allegheny County, et al.

Year Judgment Entered: 1940

Section of Judgment Retaining Jurisdiction: VI

Description of Judgment: The judgment enjoined Defendants, comprised of trade associations, companies, and individual defendants, from, among other things, maintaining a bid depository to fix the price of plaster and lath installation.

Reasons Judgment Should be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (bid rigging).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 9683

Case Name: United States v. Blaw-Knox Co.

Year Judgment Entered: 1954

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendant, a manufacturer of cast metal rolls, was enjoined from, among other things, entering into arrangements with any foreign manufacturer that would result in territorial market allocations or the exchange of transaction prices, terms, or conditions for customers related to the sale of such rolls. The judgment also terminated a number of specific agreements entered into by Defendant.

Reasons Judgment Should Be Terminated:

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

Public Comments: None.

Case No.: 9657

Case Name: United States v. Roll Mfrs. Inst., et al.

Year Judgment Entered: 1955

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendants, manufacturers of cast iron and cast steel rolls and their trade association, were enjoined from, among other things, entering into any agreement to fix prices, freight allowances, or other terms of sale. Defendants were also enjoined from disclosing information related to prices, freight allowances, and other terms of sale in connection with the manufacture, sale, or distribution of cast iron or cast steel rolls. Additionally, Defendants were restricted from participating in the activities of any trade association that facilitated the activities enjoined by the judgment.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 14745

Case Name: United States v. Robertshaw-Fulton Controls Co., et al.

Year Judgment Entered: 1957

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendants, two manufacturers of temperature controls for gas cooking ranges (Robertshaw-Fulton Controls Company and Wilcolator Co.), were enjoined from, among other things, entering into price-fixing agreements for the sale of temperature

controls, advising or suggesting prices or other terms or conditions for the sale of temperature controls to third parties, and allocating customers for the sale of temperature controls. The judgment also required Defendants to grant a nonexclusive license to all patents controlled by either defendant at the time of the judgment's entry plus five years.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing and market allocation).
- Given the time of entry since the entry of the judgment (62 years), the patents subject to the judgment have most likely expired. The mandatory licensing provision of the judgment has become obsolete.

Public Comments: None.

Case No.: 16199

Case Name: United States v. Rockwood Sprinkler Co., et al.

Year Judgment Entered: 1958

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendants, companies engaged in the sale and installation of hazard sprinkler systems, were enjoined from, among other things, entering into any agreement to fix prices or allocate customers. Defendants were also enjoined from participating in the activities of any trade association that facilitated the activities prohibited by the judgment.

Reasons Judgment Should Be Terminated:

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

Public Comments: None.

Case No.: 436

Case Name: United States v. Erie County Malt Beverage Distribs. Ass'n, et al.

Year Judgment Entered: 1958

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendants (a group of beer distributors, trade associations, and individuals) were enjoined from, among other things, entering into any agreement that fixed the price of beer, from inducing or enforcing suggested minimum resale prices or discounts at which

beer may be sold to third parties, and from entering into any agreement to boycott any brewer or beer importer. Defendants were also enjoined from belonging to any trade association engaged in the activities prohibited by the consent decree.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing and group boycott).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 14469

Case Name: United States v. Am. Radiator & Standard Sanitary Corp.

Year Judgment Entered: 1960

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: The judgment required Defendant American Radiator & Standard Sanitary Corporation (“American-Standard”), a manufacturer of plumbing fixtures, to divest itself of an acquired company—operating as the Youngstown Kitchens Division (“Youngstown”) of American-Standard—that also manufactured plumbing fixtures. The decree also required American-Standard to sell plants in Warren and Salem, Ohio. The judgment also enjoined American-Standard from, for a period of five years, acquiring any interest in any asset of any corporation in the United States engaged in the manufacture, distribution, or sale of plumbing fixtures and related products.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- The requirements of the judgment have been met: the divestiture ordered by the judgment was completed.

Public Comments: None.

Case No.: 62-215

Case Name: United States v. Holiday on Ice Shows, Inc., et al.

Year Judgment Entered: 1963

Section of Judgment Retaining Jurisdiction: VIII

Description of Judgment: Defendants, three ice show producers, were enjoined from, among other things, allocating territories where ice shows could be played. The judgment also required the defendants to divest their entire interest in a fourth ice show company.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (market allocation).
- Most defendants likely no longer exist.

Public Comments: None.

Case No.: 63-124

Case Name: United States v. Ingersoll-Rand Co., et al.

Year Judgment Entered: 1964

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendant Ingersoll-Rand Company (“Ingersoll-Rand”) was, among other things, permanently enjoined from consummating or attempting to consummate an acquisition of three defendant-companies (Goodman Manufacturing Company, Lee-Norse Company, and Galis Electric and Machine Company). Defendant Ingersoll-Rand was also enjoined from purchasing stock or assets of any corporation engaged in the manufacture or sale of underground coal mining machinery and equipment in the United States.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- The requirements of the judgment have been met: the acquisition enjoined by the judgment was not consummated, and due to changes to the original defendants, could not be consummated today.

Public Comments: None.

Case No.: 60-838

Case Name: United States v. Pennzoil Co., et al.

Year Judgment Entered: 1966

Section of Judgment Retaining Jurisdiction: V

Description of Judgment: Two defendants, Pennzoil Company (“Pennzoil”) and Kendall Refining Company (“Kendall”), both producer-refiners of crude oil, were permanently enjoined from acquiring or attempting to acquire any capitol stock or assets of, or financial interest in, the other defendant.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- The requirements of the judgment have been met: the acquisitions enjoined by the judgment were not consummated, and due to changes to the original defendants, could not be consummated today.

Public Comments: None.

Case No.: 65-1406

Case Name: United States v. Pittsburgh Brewing Co., et al.

Year Judgment Entered: 1966

Section of Judgment Retaining Jurisdiction: VI

Description of Judgment: The judgment enjoined Defendant Pittsburgh Brewing Company (“Pittsburgh Brewing Co.”) from, among other things, acquiring any stock or assets of a brewer (Duquesne Brewing Company of Pittsburgh (“Duquesne”)). An individual defendant (the chairman of Pittsburgh Brewing Co.’s board) was also enjoined, subject to certain exceptions, from acquiring any stock or assets of Duquesne.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Requirements of the judgment have been met: the acquisitions enjoined by the judgment were not consummated, and due to changes to one of the original defendants, could not be consummated today.

Public Comments: None.

Case No.: 64-342

Case No.: United States v. Monsanto Co., et al.

Year Judgment Entered: 1967

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: A chemical company (Defendant Monsanto Company (“Monsanto”)) entered into a joint venture (Defendant Mobay Chemical Company (“Mobay”)) with another chemical company (Defendant FarbenFabrieken Bayer A.G. (“Bayer A.G.”)) for the production of flexible urethane foam. The judgment required Monsanto to, among other things, sell its share of the then newly-created joint venture to its co-venturer. The judgment also prohibited Monsanto and Mobay from allowing any officer, director, or managing agent of either defendant to serve as an officer, director, or managing agent of the other defendant. The judgment also barred Monsanto from entering into an agreement not to compete with Mobay. Monsanto was

also enjoined Monsanto from acquiring any facilities (in whole or in part) used in the production of flexible urethane foam made from a specific material for a period of ten years.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Requirements of the judgment have been met: the divestiture ordered by the judgment was completed.

Public Comments: None.

Case No.: 66-1184

Case Name: United States v. Am. Standard, Inc., et al.

Year Judgment Entered: 1971

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendants, manufacturers of plumbing fixtures, were enjoined from, among other things, agreeing on prices, terms, or conditions for the sale of plumbing fixtures and from exchanging information related to bids. The judgment also dissolved a trade association.

Reasons Judgment Should Be Terminated:

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

Public Comments: None.

Case No.: 77-1125

Case Name: United States v. Pittsburgh Area Pontiac Dealers, Inc.

Year Judgment Entered: 1978

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendant, an automobile dealers association, was enjoined from entering into any plan, practice, or program designed to fix the advertised prices of Pontiac automobiles. Defendant was also enjoined from participating in, with certain exceptions, any price advertising or survey related to prices charged for the sale of automobiles for a period of ten years.

Reasons Judgment Should Be Terminated:

- Judgment is more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).
- Defendant most likely does not exist.

Public Comments: None.
