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10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,  
14 Plaintiff,  
15 v.  
16 TECHNIColor, INC., *et al.*,  
17 Defendants.

Misc. No. 2:19-MC-00121-VAP

**DECLARATION OF ALBERT B.  
SAMBAT IN SUPPORT OF UNITED  
STATES' MOTION TO  
TERMINATE LEGACY ANTITRUST  
JUDGMENTS**

19 I, Albert B. Sambat, do hereby declare and state as follows:

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- 21 1. I am an attorney admitted to practice in the Central District of California. Since  
22 2004, I have been employed as a Trial Attorney by the Antitrust Division of the United  
23 States Department of Justice.
  - 24 2. This Declaration is being submitted in support of the United States' Motion to  
25 Terminate Legacy Antitrust Judgments in the above-captioned matter.
  - 26 3. The statements made in this Declaration are based on the knowledge acquired by  
27 me in the performance of my official duties and in conjunction with factual and legal  
28 research conducted by other attorneys and staff in the Antitrust Division.

1 4. In early 2018, the Department of Justice (“the Department”) implemented a  
2 program to review and, when appropriate, seek termination of older antitrust judgments  
3 in which parties were subjected to some type of affirmative obligation or express  
4 prohibition that did not have an expiration date. These perpetual judgments were  
5 standard practice until 1979, when the Antitrust Division adopted the practice of  
6 including a term limit of ten years in nearly all of its antitrust judgments.

7 5. On April 25, 2018, the Antitrust Division issued a press release announcing its  
8 efforts to review and terminate legacy antitrust judgments, and noting that it would begin  
9 its efforts by proposing to terminate judgments entered by the federal district courts in  
10 Washington, D.C., and Alexandria, Virginia. *See* Press Release, Department of Justice,  
11 Department of Justice Announces Initiative to Terminate “Legacy” Antitrust Judgments,  
12 (April 25, 2018), [https://www.justice.gov/opa/pr/department-justice-announces-initiative-  
13 terminate-legacy-antitrust-judgments](https://www.justice.gov/opa/pr/department-justice-announces-initiative-terminate-legacy-antitrust-judgments).

14 6. The procedure for reviewing and seeking to terminate such perpetual judgments  
15 was as follows:

- 16 • The Antitrust Division reviewed its perpetual judgments entered by this Court and  
17 other federal district courts to identify those judgments that no longer serve to  
18 protect competition such that termination would be appropriate.
- 19 • When the Antitrust Division identified a judgment it believed suitable for  
20 termination, it posted the name of the case and a link to the judgment on its public  
21 Judgment Termination Initiative website,  
22 <https://www.justice.gov/atr/JudgmentTermination>.
- 23 • On March 22, 2019, the Antitrust Division listed the judgments in the above-  
24 captioned case on its public website, describing its intent to move to terminate the  
25 judgments. The notice identified each case, linked to the judgments, and invited  
26 public comment. *See* [https://www.justice.gov/atr/judgment-termination-initiative-  
27 california-central-district](https://www.justice.gov/atr/judgment-termination-initiative-california-central-district).

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- The public had the opportunity to submit comments regarding each proposed termination to the Antitrust Division within thirty days of the date the case name and judgment link were posted to the public website. For the judgments at issue in this motion, the deadline for such comments was April 19, 2019.

7. The Antitrust Division did not receive any public comments relating to the case at issue in this motion.

8. Two judgments in *United States v. Technicolor Inc., et al.* against different defendants were entered in 1948 and 1950. The following two articles from the Los Angeles Times and a blog-post relating to the declining use of film in Hollywood feature movies were found in online research conducted by my colleagues in the Antitrust Division: Stephen Follows, *Film vs digital – What is Hollywood shooting on?*, Film Data and Education (January 11, 2016), <https://stephenfollows.com/film-vs-digital/>; Richard Verrier, *COMPANY TOWN; Hollywood film lab closing in May*, Los Angeles Times (March 7, 2014); Saba Hamedy, *COMPANY TOWN; Kodak to keep making movie film, with Hollywood’s support; Studios, filmmakers are finalizing talks to help the firm maintain production*, Los Angeles Times (July 31, 2014).

9. A copy of each of the two judgments at issue in this motion is submitted as an appendix to the Motion and Memorandum. Each version attached is identical to the version that was made available on the Antitrust Division’s Judgment Termination Initiative public website for the Central District of California. *See* <https://www.justice.gov/atr/judgment-termination-initiative-california-central-district>.

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