

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 145-364
)
THE HERTZ CORPORATION,)
)
Defendant.)

STIPULATED ORDER

It is stipulated by and between the parties hereto that:

- (1) The Amended Judgment filed herein on April 27, 1965 be and hereby is vacated as of the date of filing of this Stipulated Order;
- (2) For ten years from the date of filing of the Stipulated Order, defendant Hertz is enjoined and restrained from acquiring from any person, directly or indirectly, whether by way of acquisition of assets or capital stock, all or any part of or interest in the business of renting or leasing motor trucks conducted by any such person in the 1960 Standard Metropolitan Statistical Area for New York City, consisting of the five boroughs and Nassau, Rockland, Suffolk, and Westchester counties in the State of New York; provided, however, that this shall not prohibit Hertz from:
 - (A) acquiring title, in the ordinary course of business, to motor trucks previously leased by others to an existing or prospective lease customer of defendant Hertz, in connection with the leasing of motor trucks by defendant Hertz to such customer; and
 - (B) Acquiring, directly or indirectly, any or all of the assets or capital stock of any of its subsidiaries, or forming subsidiaries and transferring thereto stock or assets of defendant Hertz or of its subsidiaries;
 - (C) Acquiring, directly or indirectly, any or all of the assets or capital stock of such person where such acquisition shall be consented to by the Department of Justice.

(3) This Stipulated Order shall supersede Section VIII of the Final Judgment herein of June 29, 1960 but shall not be deemed to supersede any other provision of, or to extend any period of time set out in, that Final Judgment.

Dated: January 30, 1967

For the Plaintiff:

W. D. Kilgore, Jr.

For the Defendant:

John E. Smith
VICE PRESIDENT

SO ORDERED: January 30, 1967

B. J. [Signature]
United States District Judge