

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION
	)	
GREATER NEW YORK ROLL BAKERS ASSN.	)	NO. 62 Civ. 2030
INC.; FIELD'S BAKING CORPORATION;	)	
FLINK BAKING CORPORATION; GOTTFRIED	)	ENTERED: June 26, 1963
BAKING COMPANY, INC.; MILLER BAKERIES	)	
CORP.; OLYMPIA PROVISIONS & BAKING CO.,	)	
INC.; SABRETT FOOD PRODUCTS CORP.;	)	
SABRETT FOOD PRODUCTS OF PA., INC.;	)	
SUPERIOR ROLL CO., INC. and VIRNELSON'S	)	
BAKERY, INC.,	)	
	)	
Defendants.	)	

FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on June 7, 1962, and the plaintiff and the defendant Virnelson's Bakery, Inc., by their respective attorneys, having consented to the entry of this Final Judgment without admission by any party signatory hereto with respect to any issue herein;

NOW, THEREFORE, before the taking of any testimony herein, without trial or adjudication of any issue of fact or law herein, and upon such consent, as aforesaid, it is hereby

ORDERED, ADJUDGED AND DECREED as follows:

I

This Court has jurisdiction of the subject matter hereof and the defendant consenting hereto. The complaint states a cause of action against that defendant under Sections 1 and 2 of the Act of Congress of July 2, 1890 (15 U.S.C. §§1, 2), as amended, commonly known as the Sherman Act.

II

As used in this Final Judgment:

(A) "Person" shall mean any individual, association, firm, corporation or other legal entity;

(B) "Rolls" shall mean frankfurter rolls, hamburger rolls and other baked products known as rolls.

III

The provisions of this Final Judgment applicable to defendant Virnelson's Bakery, Inc. shall apply to such defendant and to each of its officers, directors, agents, subsidiaries, successors and assigns and to all other persons in active concert or participation with such defendant who shall have received actual notice of this Final Judgment by personal service or otherwise. The entry of this Final Judgment shall be without prejudice to the plaintiff seeking and obtaining other, further and different relief as to the remaining defendants herein.

IV

Defendant Virnelson's Bakery, Inc. is enjoined and restrained from directly or indirectly entering into, adhering to, maintaining, enforcing or claiming any rights under any contract, agreement, combination, conspiracy, understanding, plan or program with any other person to:

(A) Fix or maintain prices, terms or conditions for the sale of rolls to any third person;

(B) Allocate, divide or assign customers, territories or markets for the sale or distribution of rolls;

(C) Restrict or limit the production, sale or distribution of rolls;

(D) Eliminate any person from the business of producing, selling or distributing rolls, or to boycott or punish any person engaged in such business;

(E) Eliminate, suppress or restrict competition in the production, distribution or sale of rolls.

V

For the purpose of securing compliance with this Final Judgment, duly authorized representatives of the Department of Justice shall, on written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to the defendant consenting hereto, made to its principal office, be permitted, subject to any legally recognized privilege and with the right of said defendant to have counsel present:

(A) Access, during office hours of such defendant, to such books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of such defendant, relating to any subject matters contained in this Final Judgment;

(B) Subject to the reasonable convenience of such defendant and without restraint or interference from it, to interview officers or employees of defendant, who may have counsel present, regarding any such subject matters.

Upon such written request, such defendant shall submit such reports in writing with respect to the subject matters contained in this Final Judgment as may from time to time be necessary to the enforcement of this Final Judgment.

No information obtained by the means permitted in this Section V shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the plaintiff except in the course of legal proceedings in which the United States is a party for the purpose of securing compliance with this Final Judgment or as otherwise required by law.

VI

Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Final Judgment to apply to this 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 or modification of any of the provisions thereof, for the enforcement of compliance therewith, and for the punishment of violations thereof.

Dated: June 26. 1963

/s/ Richard H. Levet
United States District Judge