

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
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 Plaintiff, : Civil Action No. 66-2967
 :
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 v. :
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 WORLD JOURNAL TRIBUNE, INC., : Entered: November 7, 1966
 HEARST CORPORATION, NEW YORK :
 WORLD-TELEGRAM CORPORATION, and :
 NEW YORK HERALD TRIBUNE, INC., :
 :
 Defendants. :
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FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on September 14, 1966 and defendants having filed their answers denying the substantive allegations of such complaint, and the parties by their respective attorneys having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein and without this Final Judgment's constituting evidence or an admission by any party with respect to any such issue;

Now, therefore, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein, and upon the consent of the parties hereto, it is hereby

ORDERED, ADJUDGED and DECREED AS FOLLOWS:

I

This Court has jurisdiction of the subject matter of this action and of the parties hereto. The complaint states claims for relief against the defendants under Section 7 of the Act of Congress of October 15, 1914, (15 U.S.C. 18) entitled

"An act to supplement existing laws against unlawful restraints and monopolies and for other purposes," commonly known as the Clayton Act, as amended.

II

As used in this Final Judgment, "person" shall mean any individual, partnership, firm, corporation, association or other business or legal entity.

III

The provisions of this Final Judgment applicable to any defendant shall apply to such defendant, and to each of its subsidiaries, successors, and assigns and to each of its respective directors, officers and employees, and to all persons in active concert or participation with such defendant who receive actual notice of this Final Judgment by personal service or otherwise; and the provisions of this Final Judgment shall apply only to the rights of any defendant to publish any of the syndicated columns and features listed in Exhibit (A) attached hereto (hereinafter the "Listed Features") in a daily newspaper of general circulation published and sold within fifty miles of Columbus Circle, New York City, N. Y.

IV

(A) Each of the defendants is enjoined and restrained from adhering to, claiming any rights under or otherwise enforcing any contract, lease or commitment entered into prior to or in existence as of the date of entry of this Final Judgment pertaining to the Listed Features;

(B) Each of the defendants is ordered and directed to send by mail a letter within five (5) days from the date of the entry of this Final Judgment, in a form first approved by the

plaintiff herein, to each person owning or controlling any of the Listed Features, advising such person that the defendant releases such person from any legal, equitable, moral, traditional or any other obligation based on custom, trade usage, industry practice or any other ground, to furnish the defendant or his designee with any of the Listed Features; that the defendant waives any claim or preferential right, including any traditional or customary right of first refusal, or otherwise, to any of the Listed Features; and that insofar as the defendant is concerned such person is free to sell, lease or otherwise dispose of any of the Listed Features to such persons and upon such terms and conditions as he may choose. At the same time as the above letters are mailed each of the defendants shall send copies thereof, together with a copy of the Final Judgment, to each person who publishes and sells a daily newspaper of general circulation within fifty miles of Columbus Circle, New York City, New York;

(C) Each of the defendants is hereby enjoined and restrained from entering into any new contract, lease or commitment pertaining to any of the Listed Features with any person owning or controlling any of the Listed Features (including a commitment that such person refrain from negotiating or continuing to negotiate with any third person) until the expiration of thirty (30) days after such defendant mails a letter to such person pursuant to subsection (B) of this Section IV; providing, however, that

nothing contained herein shall prevent any of the defendants from conducting negotiations pertaining to any of the Listed Features with such persons during such thirty (30) day period;

(D) During the interval between entry of this Final Judgment and the expiration of the thirty (30) days specified in subsection (C) above, the defendants may, at the election of the person owning or controlling the same, publish any of the Listed Features upon such terms and conditions as will leave the person owning or controlling the Listed Features the unrestricted ability to make them available to any third person free of any claim or other control by any defendant herein;

(E) Each of the defendants is enjoined and restrained from taking any legal action or other punitive action against any person owning or controlling any of the Listed Features where the reason for such action is, in whole or in part, that such person sold, leased, or otherwise disposed of any of the Listed Features to a third person, provided, however, that nothing contained herein shall prevent any defendant from taking any action to enforce any rights to any of the Listed Features acquired by such defendant subsequent to the thirty (30) day period set forth in subsection (C) of this Section IV.

V

For the purpose of securing or determining 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 any defendant made to its principal office, be permitted subject to any legally recognized privilege:

(A) Reasonable access, during office hours of such defendant, to all books, ledgers, accounts, correspondence, memoranda, and other

records and documents in the possession or under the control of such defendant relating to any 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 such defendant, who may have counsel present regarding any such matters.

Upon written request of the Attorney General, or the Assistant Attorney General in charge of the Antitrust Division, a defendant shall submit such reports in writing with respect to the matters contained in this Final Judgment as may from time to time be requested.

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 modification of any of the provisions contained therein, for the enforcement of compliance therewith and for the punishment of violations thereof.

Dated: November 7, 1966

/s/ Irving Ben Cooper
United States District Judge

EXHIBIT A

Walter Lippman column

Joseph Alsop column

Evans and Nova column

David Lawrence column

Roscoe Drummond column

John Fischetti cartoons

Dan Dowling cartoons

Frances Kolton travel column

Horace Sutton travel column

Mike Casale articles

Arlene Dahl column

Ralph Magill column

Barry Goldwater column

Ann Landers column

Alice Fleming column

Wizard of Id comic

Penny comic

Apartment 3-G comic

Miss Peach comic