

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

Case No.: Equity No. 5749

Case Name: U.S. v. Colorado and Wyoming Lumber Dealers' Association, et al.

Year Judgment Entered: 1917

Section of Judgment Retaining Jurisdiction: N/A

Description of Judgment: Defendants enjoined from continuing conspiracy to boycott and blacklist manufacturers and wholesale dealers in lumber who sold lumber products to those not designated as retailers by the Colorado and Wyoming Lumber Dealers' Association.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (group boycott and customer allocation)

Public comments: None

Case No.: Equity No. 7295

Case Name: U.S. v. The Cement Securities Co., et al.

Year Judgments Entered: 1924; 1943 (judgment modified)

Section of Judgment Retaining Jurisdiction: Paragraph 9

Description of Judgments: Defendants enjoined from, among other things, fixing prices of Portland cement and market allocation. Defendant Cement Securities Company was also ordered to divest two Portland cement producing plants. In 1943, the judgment was modified to allow certain cement plants to be dismantled and disposed of in accordance with allocations of the War Production Board so that equipment, machinery, and scrap materials would be available for the war effort during World War II.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment core terms largely prohibit acts the antitrust laws already prohibit (price fixing and market allocation).
- Judgment's provisions requiring divestiture have been satisfied.

Public comments: None

Case No.: 378

Case Name: U.S. v. Retail Lumbermen's Association, et al.

Year Judgment Entered: 1941

Section of Judgment Retaining Jurisdiction: Paragraph VIII

Description of Judgment: Retail lumber dealers enjoined from fixing lumber prices and allocating customers.

Reasons Judgment Should be Terminated:

- Judgment more than ten years old.
- Judgment core terms largely prohibit acts the antitrust laws already prohibit (price fixing, customer allocation).

Public comments: None

Case No.: 380

Case Name: U.S. v. W.C. Bell Services, Inc., et al.

Year Judgment Entered: 1941

Section of Judgment Retaining Jurisdiction: Paragraph VII

Description of Judgment: Defendants enjoined from, among other things, allocating customers or territories, price fixing and exchanging price information.

Reasons Judgment Should be Terminated:

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

Public comments: None

Case No.: 406

Case Name: U.S. v. National Retail Lumber Dealers Association, et al.

Year Judgment Entered: 1942

Section of Judgment Retaining Jurisdiction: Paragraph IV

Description of Judgment: Defendant lumber deal association and its members were enjoined from price fixing, boycott, and market allocation, among other things.

Reasons Judgment Should be Terminated: Paragraph IV

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

Public comments: None

Case No.: 415

Case Name: U.S. v. Ideal Cement Co., et al.

Year Judgment Entered: 1942

Section of Judgment Retaining Jurisdiction: Paragraph VI

Description of Judgment: Defendants enjoined from fixing minimum resale prices for Portland cement. Judgment also nullified existing contracts that establish a minimum resale price.

Reasons Judgment Should be Terminated:

- Judgment more than ten years old.
- Most of the provisions expired after two years. The remaining provisions refer to a permanent injunction from honoring 1940s-era contracts.

Public comments: None

Case No.: 7796

Case Name: U.S. v. Band-It Company, et al.

Year Judgment Entered: 1963

Section of Judgment Retaining Jurisdiction: Paragraph IX

Description of Judgment: Defendant manufacturer of banding devices enjoined from, among other things, price fixing and preventing any distributor from selling banding devices.

Reasons Judgment Should be Terminated:

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

Public comments: None

Case No.: 6111

Case Name: U.S. v. National Alfalfa Dehydrating and Milling Co., et al.

Year Judgment Entered: 1963; 1964 (judgment modified)

Section of Judgment Retaining Jurisdiction: Paragraph VIII

Description of Judgment: Defendant National Alfalfa required to divest seven alfalfa dehydrating plants. Defendant Grain Elevator Warehouse Company was required to lease 10% of its gas storage facilities each year for a period of five years. In 1964, the judgment was modified to clarify paragraph VI of the Final Judgment, regarding the leasing of gas storage.

Reasons Judgment Should be Terminated:

- Judgment more than ten years old.
- There are no further obligations outstanding under the Final Judgment. Judgment provisions requiring divestiture were satisfied. Judgment provisions enjoining defendants from acquiring any production, marketing, or storage facilities, and one provision regarding leasing of gas storage facilities terminated five years after entry of the Final Judgment.

Public comments: None

Case No.: C-2626

Case Name: U.S. v. El Paso Natural Gas Company, et al.

Year Judgment Entered: 1971; 1975 (judgment modified)

Section of Judgment Retaining Jurisdiction: Paragraph VIII

Description of Judgment: This matter was a merger challenge. El Paso's acquisition of Pacific Northwest eliminated the only major pipeline competitor to El Paso for the purchase of natural gas in the San Juan Basin and other basins, and eliminated the only major pipeline competitor to El Paso for the sale of natural gas in several western states. The judgment was modified in 1975 to allow El Paso to retain its stock interest in Northwest Production Corporation.

Reasons Judgment Should be Terminated:

- Judgment more than ten years old.
- Judgment provisions requiring divestiture were satisfied.

Public comments: None

Case No.: C-2478

Case Name: U.S. v. Metro Denver Concrete Assoc., et al.

Year Judgment Entered: 1972

Section of Judgment Retaining Jurisdiction: Paragraph IX

Description of Judgment: A ready mix concrete supplier's organization and five of its members were enjoined from agreeing to fix prices and market allocation. In addition, the parties were ordered to dissolve the supplier's association. It also required that, for a period of five years, the defendants seal each bid and certify that each bid was submitted without interaction with other bidders.

Reasons Judgment Should be Terminated:

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

Public comments: None
