

**UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,
Plaintiff,

v.

ROBERT E. MILLER, INC., *et al.*,
Defendants.

In Equity No. 20-315

DECLARATION OF LAWRENCE REICHER

I, Lawrence Reicher, do hereby declare and state as follows:

1. I am an attorney admitted to practice in New York and in the Southern District of New York. Since February 2019, I have served as a Counsel to the Assistant Attorney General of the Antitrust Division of the Department of Justice.

2. This Declaration is being submitted in support of the United States of America's Motion to Terminate a Legacy Antitrust Judgment in the above-captioned matter.

3. The statements made in this Declaration are based on the knowledge acquired by me in the performance of my official duties and in conjunction with factual research conducted by other attorneys and staff in the Antitrust Division.

4. In early 2018, the Department of Justice ("the Department") implemented a program to review and, when appropriate, seek termination of older antitrust judgments in which parties were subjected to some type of affirmative obligation or express prohibition that did not have an expiration date. As part of this process, the Division researched the corporate status of entities subject to these older, legacy antitrust judgments.

5. For the judgment in this case, I instructed the librarians of the Antitrust Division to research and confirm the corporate status of the defendant entities. Based on the information provided to me by the librarians, I believe that the defendant is no longer in business and does not have a successor entity. This belief is based upon the following research by the librarians:

- a. A search of the New York Department of State Division of Corporations database. If the final judgment (as submitted to this Court) or other web search (see below) suggested incorporation information for a defendant in another state, the librarians also checked that state for corporate status.
- b. A search (where appropriate) of the Encyclopedia of Associations and IRS Tax Exempt Organization Search.
- c. A search of web-based resources for the existence (or succession) of the entities. In addition to general web-based searches, the search included research in one or more of the following resources:
 - i. Lexis and/or Westlaw (news, company, and/or litigation search);
 - ii. historical newspapers from Newsbank, ProQuest, and/or Newspapers.com; and
 - iii. historical company directories held by the Antitrust Division Library.

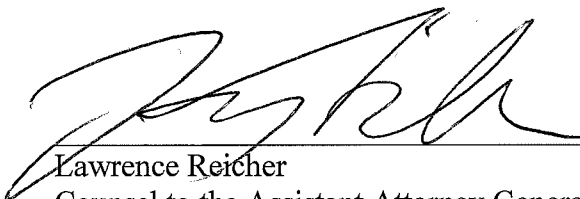
6. After their research, the librarians at the Antitrust Division conveyed to me and other attorneys working on this project that they found that Robert E. Miller, Inc. advertised heel protectors for ladies' shoes consistently in *The New York Times* and the *New York Daily News* until the advertisements ceased in the spring of 1924. In 1926 Robert E. Miller, Inc. reincorporated in New York under the name Robert E. Miller & Co., Inc. and was selling pots

and pans organizers. It later obtained a patent of felt furniture glides. In 2010 the New York Department of State Division of Corporations reported the company was dissolved.

7. In addition to Robert Miller, Inc., there was one individual defendant bound by the final judgment — Robert Miller. No information could be found about Mr. Miller. However, given the age of the judgment and the passage of time, Mr. Miller is highly unlikely to still be actively engaged in the relevant activities from the judgment.

Having reviewed this Declaration, I declare, under penalty of perjury that the foregoing is true and correct.

Dated: January 10, 2020
Washington, D.C.



Lawrence Reicher
Counsel to the Assistant Attorney General
United States Department of Justice, Antitrust Division