

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

UNITED STATES OF AMERICA,
Plaintiff,

v.

JOSEPH LEIBNER, *et al.*
Defendants.

In Equity No. 37-319

**MOTION OF THE UNITED STATES TO
TERMINATE LEGACY ANTITRUST JUDGMENT**

Plaintiff, United States of America (“United States”), moves to terminate the judgment in the above-captioned antitrust case pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. As explained in the accompanying United States’ Memorandum of Law in Support of its Motion to Terminate a Legacy Antitrust Judgment, the United States has concluded that because of age and changed circumstances since its entry, this almost 94-year-old judgment no longer serves to protect competition. The United States gave the public notice and the opportunity to comment on its intent to seek termination of the judgment in the above-captioned case; it received no comments opposing termination. For these and other reasons explained in the accompanying memorandum, the United States requests that this judgment be terminated.

Respectfully submitted,

Dated: February 4, 2020

/s/ Barry L. Creech
Barry L. Creech (DC Bar No. 421070)
Trial Attorney
Antitrust Division
United States Department of Justice
450 Fifth St., NW; Suite 4042
Washington, DC 20530
Telephone: (202) 307-2110
Facsimile: (202) 307-5802
Email: barry.creech@usdoj.gov