EXHIBIT A

FINAL JUDGMENT

UNITED STATES v.
GREATER NEW YORK LIVE POULTRY
CHAMBER OF COMMERCE, *et al*.

In Equity No.: 52-30

Year Judgment Entered: 1932

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK.

In Equity No. 52-30.

UNITED STATES OF AMERICA, PETITIONER

vs.

THE GREATER NEW YORK LIVE POULTRY CHAMBER OF COMMERCE ET AL., DEFENDANTS.

FINAL DECREE.

This cause having come on for final hearing upon the amended petition, filed April 16, 1930, and upon the several answers thereto, and the issues thereby presented having been duly tried before the Honorable Francis G. Caffey, from November 16, 1931, to December 18, 1931;

Now upon consideration thereof, and upon motion of the petitioner, the United States Attorney for the Southern District of New York, and by Walter L. Rice and Albert J. Law, Special Assistants to the Attorney General, for relief in accordance with the prayer of the amended petition; it is

Ordered, adjudged, and decreed:

1. That the court has jurisdiction of the subject matter hereof and of all parties hereto; that the petition states a cause of action against the defendants under the Act of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies" (26 Stat. 209);

2. That the combination and conspiracy to restrain interstate trade and commerce and to monopolize interstate trade and commerce, and the attempt to monopolize and the monopoly attained thereby, as described in the decree and as described in further detail in the amended petition, be, and hereby are declared illegal and in violation of the said Act of Congress;

3. That each of the allegations of the Amended Petition are true, except that it has not been proved that Jacob Damsky and Sam Silverman participated in the conspiracy therein alleged and the petition as against the said Jacob Damsky and Sam Silverman is dismissed;

4. That wherever used in this decree, Metropolitan Area shall mean the cities of New York, Newark, Hoboken, Jersey City, Paterson, and other localities of the States of New York and New Jersey situated within thirty miles of the boundaries of the City of New York; marketmen shall mean wholesalers or retailers buying live poultry and selling live and freshly slaughtered poultry in markets equipped for slaughtering poultry; retail dealers shall mean persons, firms, and corporations engaged in retailing live and freshly slaughtered poultry to the consuming public and to other retail dealers and butchers who accasionally purchase at retail; butchers shall mean persons, firms, and corporations engaged in retailing freshly slaughtered poultry as an incident to the retail meat business; receivers shall mean persons, firms, and corporations dealing in live poultry as commission men or agents of shippers or as purchasers from shippers, and selling such poultry to marketmen or retail dealers; conspiracy shall mean all violations of the said Act of Congress described in the amended petition and in the decree herein; poultry without any descriptive adjective shall mean live and freshly slaughtered poultry;

5. That wherever used in this decree, the term defendants shall include all of the following:

Al Berman,
Herman Berman,
Abraham Bloom,
Isidor Bloom,
Morris Bloom,
Isidore Blumenfield,
Morris Chast,
John J. Conlin,
Morris Damsky,
Harry Dworkin,
Carl Firestone,
Hyman Fishman,
Ida Frank,
Isidore Frank,
Samuel Friedman,
Charles Gershowitz,
Max Glantz,
Samuel Goldstein,
Arthur Herbert,
Charles Herbert,
Harry Herbert,
Dave Hirshon,
L. Hornstein,
Samuel Kadin,
Leo Kassoff,
David Kaufman
(alias "David Silver")
Max Keslin,
Alter Kupersmith,

Simon Lapof,
Michael Lax,
Samuel Lipkin,
Morris Markman
(alias "Nigger"),
Jacob Mintz,
Abe Newman,
Hyman Raby,
Joseph Rosenman,
Julius Rosenstein,
Murray Rosenstein,
Sidney Rosenstein,
Harry Rubin,
Samuel Sahn,
Harry Schomer,
William Simon,
Louis Spatz,
Joseph Weiner,
Meyer Weiss,
Aaron Weissler
(alias "Arke"),
Abraham Wolfe, and
Irving Yarmouth.

Note: By an amending order entered March 12, 1932, the Court added to the defendants listed in Paragraph 5 the following defendants namely:

Greater New York Live Poultry Chamber of Commerce; Local 167 of the International Brotherhood of Teamsters, Chauffeurs, Stablemen & Helpers of America, Inc.; Official Orthodox Poultry Slaughterers of America, Inc.

6. That defendants, in violation of said Act of Congress, conspired to restrain and monopolize, attempted to monopolize, and did monopolize, interstate trade and commerce in live poultry within the Southern District of New York and in the Metropolitan Area, by the following means among others: allocating and assigning retail dealers and butchers to the several marketmen; requiring retail dealers and butchers to purchase poultry exclusively from the respective marketmen to whom they were allocated, and preventing said retail dealers and butchers from purchasing or obtaining poultry from any other source either within the State of New York or in other States; requiring all market men doing business in the Metropolitan Aren to abide by said system of allocation, and preventing said marketmen from selling to retail dealers and butchers other than those allocated to them; boycotting marketmen and retail dealers who did not abide by all of the terms of the conspiracy, and preventing them from purchasing poultry from the receivers in West Washington Market, at the railroad terminals in New York and New Jersey, in States other than New York and New Jersey, or from any source whatever; preventing receivers and marketmen from selling or delivering poultry to marketmen and retail dealers who had been boycotted as aforesaid; preventing marketmen, retail dealers, and butchers who owed money for prior purchases, from purchasing, selling, loading, unloading, trucking, conveying, slaughtering, handling, or delivering poultry at any place either within or without the State of New York; causing strikes and preventing members of Local 167 of the International Brotherhood of Teamsters, Chauffeurs, Stablemen & Helpers of America, and of the Official Orthodox Poultry Slaughterers of America, Inc., from loading, unloading, trucking, conveying, slaughtering, handling, delivering, or selling poultry for marketmen, retail dealers, or butchers who did not abide by all of the terms of the conspiracy; fixing and maintaining oppressive prices to be charged to retail dealers and butchers; dictating retail prices to be charged by retail dealers and butchers; collecting from marketmen large sums of money generally computed at approximately 1¢ per pound, on all poultry sold by them, and dispensing said money among themselves, to retail dealers, and to persons employed to carry out the objects of the conspiracy; and employing other violent, oppressive, and coercive methods in the enforcement of said conspiracy;

7. That defendants, their officers, agents, servants, employees, and all persons acting under, through, by, or in behalf of them or any of them, or claiming so to act, be and hereby are, perpetually enjoined, restrained, and prohibited (a) from doing any of the acts set forth in paragraph 6 herein, and (b) from forming, joining, aiding, entering into, or participating in any combination or conspiracy having any of the purposes, objects, or effects, or employing any of the means or methods, described in paragraph 6 herein, or having any of the purposes, objects, or effects, or employing any of the means

or methods described in the amended petition;

8. That each of defendants, their officers, agents, servants, employees, and all persons acting under, through, by, or in behalf of them or any of them, or claiming so to act, be, and hereby are, perpetually enjoined, restrained, and prohibited—

(a) from aiding, serving, or participating in any association, combination, or membership corporation of marketmen, receivers, retail dealers, and/or butchers, which has among its objects or effects: allocation of retail dealers, butchers, or others, among marketmen; fixing or enhancement of prices paid to marketmen, retail dealers, or butchers; boycotting of marketmen; receivers, retail dealers, or butchers; elimination of competition in the sale or distribution of live poultry; establishment of any system whereby marketmen agree to act in concert to prevent any retail dealer, butcher, or marketmen from purchasing or obtaining delivery of poultry from any source within or without the State of New York, whereby retail dealers and butchers are prevented from engaging in the wholesale business, or marketmen prevented from engaging in the retail business; refusing to sell for cash to retail dealers, butchers, or marketmen, who have not paid their bills to persons or corporations other than the one concerned in the proposed purchase; agreeing or acting in concert with each other or others to fix prices to be paid to receivers;

(b) from attempting to create, or creating in the poultry industry of the Metropolitan Area or in the minds of any persons engaged therein, a feeling of fear and terror for the purpose of preventing said persons from buying, selling, or distributing live poultry in a free, open, and competitive market;

(c) from detaining, destroying, or damaging vehicles, or other equipment used in conveying live poultry within, into, or through the State of New York, to or from marketmen, retail dealers, butchers, or receivers;

(d) from refusing, or instigating refusals, to load, unload, convey, deliver, slaughter, or handle poultry for any receiver, marketman, retail dealer, or butcher, wherever the rendition of such service under reasonable conditions shall be requested and the one requesting the service shall pay, or offer and be ready, able and willing to pay or cause to be paid, therefor the fair and reasonable value thereof;

(e) from coercing receivers, marketmen, retail dealers, or butchers, or any persons, firms, or corporations engaged in the live poultry business in the Metropolitan Area to make payments or contributions to any cooperative plan, association, credit organization, or any mutual association of marketmen, receivers, retail dealers, and/or butchers whatsoever;

(f) from employing any threats, boycotts, violence, or coercive devices for the purpose of enforcing the payment of any contributions or tribute from marketmen, receivers, retail dealers, or butchers, to any organization, association, corporation, or combination in the poultry industry of the Metropolitan Area; or for the purpose of inducing or compelling any marketman, receiver, retail dealer, or butcher to join, cooperate with, or abide by the rules, policies, or demands of any association, corporation, or other combination in the poultry industry of the Metropolitan Area;

(g) from causing or coercing any marketman to employ laborers in excess of his reasonable requirements, whether such coercion is effected under the guise of labor union regulations or otherwise;

(h) from following or spying upon marketmen, retail dealers, or butchers, or their representatives, employees, or truck drivers for the purpose of ascertaining the source of their poultry supplies, or intimidating them;

(i) from paying any money or other consideration to marketmen or retail dealers for the purpose of effecting a discontinuance or lessening of their wholesale business;

(j) from employing any device or doing any act having the purpose, effect, or tendency of recreating the conspiracy, diminishing or eliminating competition in the live poultry industry, or enhancing or fixing prices;

(k) from restraining the freedom of any marketman, receiver, retail dealer, or butcher, in any way in purchasing, loading, unloading, trucking, conveying, delivering, slaughtering, selling, or competing in the purchase and/or sale of poultry;

(l) from using any of the offices or positions in Local 167 of the International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, or in the Official Orthodox Poultry Slaughterers of America, Inc., or in similar organizations, for the purpose of coercing marketmen to buy poultry, poultry feed, or other commodities necessary to the poultry business, from any particular sellers thereof.

9. That the term of this Court is hereby extended for five years from the date of entry of the decree herein; that the Court shall retain fully power during such period to alter the decree herein in any respect whatever.

10. That jurisdiction of this cause is hereby retained for the purpose of enforcing this decree and giving full effect thereto, punishing evasions thereof, ascertaining and correcting any deficiency or injustice in any of the terms herein, making such other and further orders, decrees, directions, amendments, or modifications of this decree, and taking such other action, if any, as may be necessary and appropriate to carry out and enforce this decree.

11. That the petitioner shall recover its costs, which shall include reimbursement to the petitioner of its expenses paid or incurred, at the rate not exceeding 25 cents per folio for each folio of the transcript of testimony prepared for and submitted to the Court.

Dated New York, Feb. 6, 1932.

FRANCIS G. CAFFEY,
United States District Judge.