

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

UNITED STATES OF AMERICA,  
Plaintiff,

v.

GENERAL OUTDOOR ADVERTISING  
CO., INC., *et al.*,  
Defendants.

1:20-mc- 480

(Originally In Equity No. 46-50)

**DECLARATION OF BARRY L. CREECH**

I, Barry L. Creech, do hereby declare and state as follows:

1. I am an attorney admitted to practice in the District of Columbia. I have been a trail attorney with the Antitrust Division of the Department of Justice since 1990.
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 Antitrust Division 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, librarians of the Antitrust Division were instructed to research and confirm the corporate status of the corporate defendants. The librarians searched the following public sources to determine corporate status:

- 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 of the Encyclopedia of Associations and IRS Tax Exempt Organization Search, where such organizations or associations were subject to a judgment.
- c. A search of web-based resources for the existence (or succession) of the entity. 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.

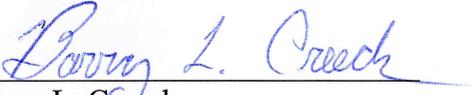
6. Based on the information provided to me by the librarians, I believe that all of the corporate defendants are no longer in business and do not have a successor entity. The Final Judgment dismissed defendants Outdoor Advertising Association of America, Foster and Kleiser Co., and Foster and Kleiser Investment Co. *See* Exhibit A at 7. Defendant National Outdoor Advertising Bureau dissolved its New York incorporation in 1978. Defendant General Outdoor Advertising Co. was purchased by Gamble-Skogmo in 1962, and it sold 12 of General Outdoor

Advertising's plants in 1963 to a syndicate. Gamble-Skogmos's 1963 annual report stated that it had sold additional plants of General Outdoor Advertising in the early months of 1964 and that it was looking to diversify in other fields with greater earning potential. After this annual report, the librarians were unable to find any further evidence that Gamble-Skogmo continued to be engaged in the outdoor advertising industry. Gamble-Skogmo was sold over 15 years later in 1980, and its acquirer, Wickes Companies, Inc., declared bankruptcy in 1982.

7. There were four individual defendants to the judgment. Given the judgment was entered 91 years ago, it would be highly unlikely for any of the individual defendants 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: November 24, 2020  
Washington, D.C.

  
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Barry L. Creech  
Trial Attorney  
United States Department of Justice  
Antitrust Division