

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

UNITED STATES OF AMERICA,
Plaintiff,

1:20-mc- 513

v.

(originally Civil Action No. 111-286)

INTERNATIONAL CIGAR MACHINERY
COMPANY, *et al.*,
Defendants.

DECLARATION OF CHRISTOPHER MAIETTA

I, Christopher Maietta, do hereby declare and state as follows:

1. I am an attorney admitted to practice law in the State of Maryland and the Commonwealth of Massachusetts, and I have been working as a Trial Attorney for the United States Department of Justice for more than fifteen years.
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, United States Department of Justice.
4. In early 2018, the United States 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, the librarians of the Antitrust Division were instructed to research and confirm the corporate status of the corporate defendant entities, International Cigar Machinery Company and American Machine & Foundry Company. Based on the information provided to me by the librarians, it appears that the International Cigar Machinery Company merged with American Machine & Foundry Company in 1962, and that American Machine & Foundry Company is no longer in the business of manufacturing cigar machinery or the distribution of such machinery. 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/or
 - iii. historical company directories held by the Antitrust Division Library.

6. After their research, the librarians and attorneys working on this project at the Antitrust Division determined that American Machine & Foundry Company began as a manufacturer of equipment in the cigar and tobacco industry in the early 1900s, and it eventually entered into other lines of business over the following decades. By 1962, International Cigar Machinery Company merged with American Machine & Foundry Company, which continued to diversify away from tobacco machinery and related businesses. By 1971, American Machine & Foundry Company's name was officially changed to AMF, Inc. Over the years, the company appears to have been acquired and re-acquired by various investors and eventually became known as AMF Bowling, Inc. By 2005, the products division of AMF Bowling, Inc. merged with Qubica Worldwide, another bowling product related company, and became QubicaAMF Worldwide, which appears to be one of the largest manufacturers of bowling and amusement products in the United States and the world; the company is not in the business of manufacturing machines that make cigars or distributing such machinery.

Having reviewed this Declaration, I declare, under penalty of perjury that the foregoing is true and correct to the best of my knowledge and understanding.

Dated: November 24, 2020
New York, New York

/s/ Christopher Maietta
Christopher Maietta
Trial Attorney
United States Department of Justice
Antitrust Division