

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

UNITED STATES OF AMERICA,  
Plaintiff,

v.

SYNTHETIC NITROGEN PRODUCTS  
CORPORATION *et al.*,  
Defendants.

1:20-mc-533 (JPO)  
(originally Civil Action No. 15-365)

**DECLARATION OF ERIC HOFFMANN**

I, Eric Hoffmann, do hereby declare and state as follows:

1. I am an attorney admitted to practice in the state of Illinois. For the past 23 years, I have been employed as a Trial Attorney in 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 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. I have reviewed a report of I. G. Farbenindustrie AG and the American I. G. Chemical Corporation in connection with the investigation of an international nitrogen cartel as detailed in the “External Assets Investigation Section of the Property Control and External Assets Branch of the Property Division of the Office of the Military Government for Germany

(U.S.) (OMGUS)” during the period 1945-1949.<sup>1</sup> Synthetic Nitrogen Products Corporation was an American subsidiary of the German chemical conglomerate I. G. Farbenindustrie AG, which was seized at the end of World War II by the Allies. International cartels formed between the two World Wars were the focus of government and military investigations after WWII.

7. Based on the above report, and information provided to me by the librarians, I believe that the corporate entity, Synthetic Nitrogen Products Corporation, was dissolved in or around 1955. Further, I believe that the individuals named in the consent decree have passed away or long since retired. Having reviewed this Declaration, I declare, under penalty of perjury that the foregoing is true and correct.

Dated: November 30, 2020

\_\_\_\_\_/s/\_\_\_\_\_  
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<sup>1</sup> See <https://www.archives.gov/files/research/microfilm/m1922.pdf>; see also <https://www.fold3.com/title/781/omgus-external-assets-investigation>, Category: A.G. Bronner & Cie.