

U. S. vs. THE FORESTAL LAND, TIMBER AND
RAILWAYS, LTD., ET AL.

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.

Civil Action No. 23-510.

UNITED STATES OF AMERICA, PLAINTIFF,

VS.

THE FORESTAL LAND, TIMBER AND RAILWAYS, LTD.;
LA FORESTAL S. A. DE TIERRAS MADERAS Y EXPLOTA-
CIONES COMERCIALES E INDUSTRIALES; ST. HELEN'S
HOLDINGS LTD.; TANNIN PRODUCTS CORPORATION; THE
TANNIN CORPORATION; INTERNATIONAL PRODUCTS
CORPORATION; JOHN B. SULLIVAN; CARL B. ELY;
CHARLES J. VERMILYE; E. HOPE NORTON; AND SOCIEDAD
ANONIMA EXPÓRTADORA DE PRODUCTOS TANICOS (TAN-
NIN PRODUCTS EXPORT CORPORATION), DEFENDANTS.

FINAL JUDGMENT

Plaintiff, United States of America, having filed its
complaint herein on the 20th day of December 1943, and
the defendant Charles J. Vermilye, having appeared and
duly filed his answer denying the essential allegations
thereof, and having submitted himself to the jurisdiction

of the Court, and the said defendant Charles J. Vermilye, by his attorney, having consented to the entry of this decree without trial or adjudication of any issue of fact or law herein and without admission by said defendant of any issue raised by the pleadings herein;

And it appearing that the said defendant Charles J. Vermilye is not now an officer of the defendants Tannin Products Corporation or The Tannin Corporation;

NOW, THEREFORE, before any testimony has been taken herein, and without trial or adjudication of any issue of fact or law herein, and upon the consent of the United States of America, and the said defendant Charles J. Vermilye, it is hereby

ORDERED, ADJUDGED, AND DECREED as follows:

1. The Court has jurisdiction of the subject matter hereof and the consenting parties hereto; and the complaint states a cause of action against the defendant under the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," known as the Sherman Act, and under Section 73 of the Act of August 27, 1894, entitled "An Act to Reduce Taxation, to Provide Revenue for the Government, and for Other Purposes," known as the Wilson Tariff Act.

2. The defendant, his employees and agents, and all persons acting or claiming to act under, through or for him, are hereby enjoined and restrained from entering into or adhering to any contract, agreement, association, plan, program or arrangement with any importer or distributor, or group of producers, of quebracho extract, wattle extract or myrobalans to

(a) fix or maintain uniform prices and terms or conditions of sale for the sale to others of quebracho extract, wattle extract or myrobalans in the United States, or to adhere to the prices and terms or conditions of sale so fixed;

(b) refrain from selling quebracho extract, wattle extract or myrobalans in the United States or in any country outside of the United States;

(c) refrain from acting as a distributor of or from patronizing or from handling the quebracho extract, wattle extract or myrobalans of any producer who is not a party to the "Pool Agreement," as described in the complaint herein, or to any agreement having like objects.

3. The defendant, his employees and agents, and all persons acting or claiming to act under, through or for him, are hereby enjoined and restrained from entering into or adhering to any contract, agreement, association, plan, program or arrangement with any group of producers of quebracho extract, wattle extract or myrobalans to

(a) limit the amount of quebracho extract, wattle extract or myrobalans which may be imported into the United States;

(b) limit the amount of quebracho extract, wattle extract or myrobalans which may be exported from the United States;

(c) allocate the sources of supply of quebracho extract, wattle extract or myrobalans among importers.

4. For the purpose of securing compliance with this judgment, and for no other purpose, duly authorized representatives of the Department of Justice shall, on written request of the Attorney General or an Assistant Attorney General, and on reasonable notice to the defendant, be permitted, subject to any legally recognized privilege, (1) access, during the office hours of such defendant, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of the defendant relating to any matters contained in this judgment, and (2) subject to the reasonable convenience of the defendant and without restraint or interference from the defendant to interview officers or employees of such defendant who may have counsel present, regarding any such matters; provided, however, that such information obtained by the means permitted in this paragraph shall not be divulged by any represen-

tative of the Department of Justice to any person other than a duly authorized representative of the Department of Justice except in the course of legal proceedings for the purpose of securing compliance with this judgment in which the United States is a party or as is otherwise required by law.

5. Jurisdiction of this cause is retained for the purpose of enabling any of the parties to this judgment to apply to the Court at any time for such further orders and directions as may be necessary or appropriate for the construction or carrying out of this judgment, and for the amendment, modification or termination of any of the provisions thereof, for the enforcement of compliance therewith, and for the punishment of violations thereof.

Dated December 11th, 1945.

s/ ALFRED C. COXE,
United States District Judge.