
**U. S. v. NATIONAL RETAIL CREDIT ASSOCIATION.
IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI.**

In Equity No. 10420.

THE UNITED STATES OF AMERICA, PETITIONER,

VS.

NATIONAL RETAIL CREDIT ASSOCIATION, RETAIL CREDIT
MEN'S NATIONAL ASSOCIATION, GUY H. HULSE, DAVID
J. WOODLOCK, ARTHUR P. LOVETT, JOHN N. KEELER,
M. G. RILEY, L. S. GILBERT, GEORGE B. ALLAN, AND
J. E. R. CHILTON, JR., DEFENDANTS.

DECREE

This cause coming on to be heard this 6th day of
October, 1933, on a regular court day of the September
Term, and the several defendants having appeared, the
petitioner moved the Court for a decree in conformity
with the prayers of the Petition; and the defendants
having consented to the making and entering of this
decree;

Now, therefore, it is ORDERED, ADJUDGED, AND DECREED
as follows:

I

That the Court has jurisdiction of the subject-matter and of all the parties hereto; that the petition states a cause of action against the defendants under the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies" and acts amendatory thereof and supplemental or additional thereto, known as the Federal Anti-trust Laws.

That the National Retail Credit Association and Retail Credit Men's National Association will be hereinafter referred to as the Association.

II

That the defendants and each of them, individually and collectively, their successors, members, officers, directors, managers, agents, servants, employees and all persons acting or claiming to act, under or in behalf of them, or any of them, be and they hereby are permanently and perpetually enjoined and restrained from in any way maintaining, continuing, or reviving, either directly, or indirectly, in whole or in part by any means whatsoever, the combination, conspiracy, and monopolization of trade and commerce in credit reports and credit information described in the petition herein, or any combination, conspiracy or monopolization similar thereto, as more particularly set out in paragraph three immediately following.

III

That the defendants and each of them, individually and collectively, their successors, members, officers, directors, managers, agents, servants, employees and all persons acting or claiming to act under or in behalf of them, or any of them, be and they hereby are, permanently and perpetually enjoined or restrained from—

(1) Designating and assigning any region or regions as the exclusive territory in which any member or members of the Association shall gather credit information or sell credit information or reports.

(2) Refraining from gathering credit information or selling credit information or reports in any region or regions assigned as the exclusive territory of any member or members of the Association.

(3) Refusing to sell credit information or reports to vendees in any region or regions assigned as the exclusive territory of any member or members of the Association except to and through a member or members of the Association.

(4) Reporting, circulating, or in any manner publishing the names of persons or corporations who have sought, or are seeking, to procure, buy, or sell credit information or credit reports from or to any member or members of the Association except to and through a member or members thereof.

Nothing herein shall be construed to preclude the members of the Association from individually using any available organization, or individual, or other source of credit information in any region or place.

IV

That the defendants shall forthwith abrogate and cancel any and all bylaws, rules, regulations, conditions, contracts, provisions or resolutions which suggest, authorize, encourage, permit or direct any of the acts and things hereinabove specifically enjoined, including Rule 1, Rule 2, Rule 29, and Rule 30, of the Rules and Regulations issued by the Service Department of the National Retail Credit Association, adopted June 24, 1932, and including any delineation, designation, or assignment of a region or regions as the exclusive trading territory of any member or members of the Association, provided use of the words "exclusive territory" shall not affect the right to trade in said territory of any individual partnership or corporation.

V

That the defendants shall forthwith notify in their official publication known as the "Credit World", all

members of the Association of its action in abrogating and cancelling the by-laws, rules, regulations, contracts, provisions or resolutions as set forth in the preceding paragraph and with the same notification shall print in said Credit World a copy of this decree and shall fully inform the members of its provisions. Within thirty days after the entry of this decree defendants shall file with the court evidence showing compliance with this paragraph, which shall include a list of the membership so notified.

VI

That jurisdiction of this cause is hereby retained for the purposes of enforcing this decree, or enabling the parties to apply to the court for modification or enlargement of its provisions on the ground that they are inadequate or have become inappropriate or unnecessary.

VII

That the petitioner have and recover of the defendants the costs of this cause.

Dated October 6, 1933.

CHARLES B. DAVIS,
United States District Judge.
