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UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

Plaintiff.

UNITED STATES OF AMERICA,

v.

LARAMIE COUNTY LIQUOR DEALERS)
ASSOCIATION, an unincorporated)
association,

Defendant.

Civil No. C80-0239

FINAL JUDGMENT

Filed: May 29, 1981

Plaintiff, United States of America, having filed its complaint herein on August 11, 1980 and the defendant, by its attorneys, having consented to the entry of this Final Judgment, without trial or adjudication of any issue of fact or law herein and without this Final Judgment constituting any evidence against or admission by any party with respect to any issue of fact or law herein:

NOW, THEREFORE, without any adjudication of any issue of fact or law herein, and upon the consent of both parties hereto, it is hereby

ORDERED, ADJUDGED AND DECREED:

I.

This Court has jurisdiction of the subject matter herein and of the parties hereto. The Complaint states claims upon which relief may be granted against the defendant under Section 1 of the Sherman Act (15 U.S.C. §1).

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2 53 1 As used in this Final Judgment:

- (A) "Person" shall mean any individual, sole proprietorship, partnership, firm, association, corporation or other business entity;
- (B) "Price list" means any list of retail prices charged or to be charged for liquor, or showing a range of retail prices to be charged or a method for charging retail liquor prices;
- (C) "Liquor" means all alcoholic beverages for human consumption including wine, beer and spirits.

III.

The provisions of this Final Judgment are applicable to the defendant and also apply to each of defendant's officers, directors, agents, employees, successors and assigns, and members and to all other persons in active concert or participation with any of them, who shall have received actual notice of this Final Judgment by personal service or otherwise.

IV.

Defendant is enjoined and restrained from:

- (A) Fixing, establishing, maintaining or stabilizing any price for the sale of liquor;
- (B) Advocating, suggesting, urging, advising, inducing or recommending that any person who sells liquor adhere to or otherwise base its liquor prices on any particular price list;
- (C) Adopting, preparing, formulating, suggesting, publishing or distributing any price list;
- (D) Adhering to, maintaining, or enforcing any price list or price to be charged for the sale of liquor;
- (E) Making any individual contact, devising or putting into effect any procedure, or taking any action with reference

to a person who sells liquor because of the prices charged for liquor by that person;

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(F) Communicating to or exchanging with any person who sells liquor any information concerning actual or proposed prices for liquor, or price changes, discounts, delivery charges, or other terms and conditions of sale at which liquor is to be, or has been sold.

v.

- (A) Defendant, Laramie County Liquor Dealers Association, shall direct its members, and all other persons to whom it or its members have distributed or provided price lists, at any time, to destroy all such price lists.
- (B) Defendant, Laramie County Liquor Dealers Association, shall direct all of its members to independently and individually review and recompute their current prices and discounts for the sale of liquor based on current wholesale costs and market conditions, without reference to and without regard for any price lists distributed or provided at any time by said defendant or any other liquor dealer.
- (C) Defendant's President, Robert L. McMurray, and its former Vice-President, Milton L. Nation, shall reduce to writing the result of their independent review and recomputation required by paragraph (B) of this Section, including a full explanation of the methodology employed by them, and shall mail or deliver the same to this Court, with a copy to plaintiff, within ninety (90) days after the entry of this Final Judgment, to be filed by the Clerk of the Court under seal, unavailable to the public except upon order of this Court.
 - (D) Defendant, Laramie County Liquor Dealers Association,
 - (1) shall within sixty (60) days after the date of entry of this Final Judgment, send a copy of this

APPENDIX A

Dear Sir:

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This letter and the enclosed Final Judgment are being sent to you as part of the settlement of a lawsuit brought by the United States against the Laramie County Liquor Dealers Association (United States v. Laramie County Liquor Dealers Association, Civil No. C80-0239). You should read the Final Judgment carefully and note that you, as an individual, under certain circumstances are bound by its provisions. The purpose of this letter is to help explain the provisions in the Final Judgment.

The essence and intent of the Final Judgment is that the Laramie County Liquor Dealers Association may not in any way prepare, publish, adopt, distribute, suggest, recommend, advocate or enforce any form of price list. The principal purpose of the Judgment is to prohibit the Association and its members from engaging in any joint activity concerning the prices to be charged for liquor, which includes beer, wine and spirits. Under the law and this Judgment, you or your retail liquor store must set your own prices for liquor (beer, wine and spirits) independently without consultation or agreement with the Association or any of its officers or members, or any other retail liquor dealer. You should review your current prices and discounts and recompute them without regard to any price lists prepared, suggested, or recommended by the Association or its officers or members and without consultation with any other retail liquor dealer.

If you have any price lists prepared, suggested, or recommended by the Association or its officers or members, you must destroy all such price lists.

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