

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

UNITED STATES OF AMERICA,  
Plaintiff,

v.

SCOPHONY CORPORATION OF  
AMERICA, *et al.*  
Defendants.

Case No. 1:20-mc-509  
(Originally Civil Action No. 34-184)

**DECLARATION OF MILOSZ GUDZOWSKI**

I, Milosz Gudzowski, do hereby declare and state as follows:

1. I am an attorney admitted to practice in New York. Since 2011, I have been employed as a Trial Attorney at the United States Department of Justice, Antitrust Division.
2. This Declaration is being submitted in support of the United States of America's Motion to Terminate Legacy Antitrust Judgments 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 judgments 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. After their research, the librarians at the Antitrust Division conveyed to me and other attorneys working on this project that they found no records suggesting that Scophony Corporation of America is still in business. At or around 1956, it appears that Scophony Corporation of America's assets were acquired by Skiatron Electronics & TV Corporation. Skiatron Electronics & TV Corporation was dissolved in 1993. Scophony Corporation of America has no contact or registered agent listed in the New York Department of State Division

of Corporations. The librarians at the Antitrust Division found that the Scophony Corporation of America has an active New York State incorporation record according to the New York Department of State Division of Corporations database. Given all of the information gathered about the defendant, the librarians at the Antitrust Division suggest that the Scophony Corporation of America's active incorporation status in this one source may simply reflect an oversight by the New York Department of State in updating its database to reflect inactive status of this corporation.

7. After their research, the librarians at the Antitrust Division conveyed to me and other attorneys working on this project that they found no records suggesting that General Precision Equipment Corporation ("GPEC") is still in business. GPEC has no record in the New York Department of State Division of Corporations database and its record in the Pennsylvania Department of State Corporations database indicates that it was dissolved in 1968. In 1968, GPEC was purchased by a conglomerate, the Singer Corporation. At or around 1970, it appears that GPEC ceased operating as a separate entity within the Singer Corporation, and in the late 1980s, the Singer Corporation sold off eight of its twelve divisions. At the time of the sales, it was unclear how the GPEC assets had been allocated within the divisions at Singer, and, in any case, it did not appear that any of the successor companies contained the GPEC assets related to the markets that were the objects of the final judgments, television manufacturing and distribution. Given all of the information gathered about the defendant, I believe there is no reason to believe that GPEC is still in business.

8. Based on the information provided to me by the librarians, I believe that Television Productions Inc. has a successor entity, ViacomCBS Inc., which is still in business, although not as manufacturer or distributor of televisions. I contacted Christa D'Alimonte,

General Counsel at ViacomCBS Inc., regarding the judgments in the above-captioned case. On February 29, 2020, Ms. D'Alimonte confirmed that ViacomCBS Inc. does not object to the termination of the judgment against it in the above-captioned case.

9. Based on the information provided to me by the librarians, I believe that Scophony, Ltd. has a successor entity, Thorn Group Ltd, which is in business and is a retailer of televisions and other electronics in Australia. I contacted Alexandra Rose, General Counsel and Company Secretary at Thorn Group Ltd., regarding the judgments in the above-captioned case. On October 22, 2020, Ms. Rose confirmed that Thorn Group Ltd. does not object to the termination of the judgment against it in the above-captioned case.

Having reviewed this Declaration, I declare, under penalty of perjury that the foregoing is true and correct.

Dated: November 24, 2020  
New York, NY

/s/ Milosz Gudzowski  
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