

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

Plaintiff,

—v—

Millinery Quality Guild, Inc., *et al.*,

Defendants.

20-mc-0098 (AJN)

In Equity No. 75-99

ORDER TERMINATING FINAL JUDGMENT

WHEREAS, The Plaintiff has moved this Court to terminate the perpetual final judgment entered in the above-captioned case, and the Court has considered all papers filed in connection with this motion;

WHEREAS, This Court has jurisdiction to modify the judgment pursuant to Section VIII of that judgment;

WHEREAS, Federal Rules of Civil Procedure 60(b)(5) and 60(b)(6) provide that “[o]n motion or just terms, the court may relieve a party or its legal representative from a final judgment . . . [when] applying it prospectively is no longer equitable . . . [or for] any other reason that justifies relief.” Fed. R. Civ. P. 60(b)(5)-(6);

WHEREAS, the corporate defendants appear to no longer exist or no longer be engaged in business activities, and it is highly unlikely that the individual defendants are actively engaged in the relevant activities described in the 86-year-old judgment. *See* Dkt. No. 1, Ex. D;

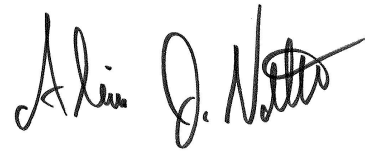
WHEREAS, the United States has provided adequate notice to the public regarding its intent to seek termination of the judgment and has received no public comments;

WHEREAS, the Court deems that terminating the antitrust judgment is consistent with the public interest, *see United States v. Loew's Inc.*, 783 F. Supp. 211, 213 (S.D.N.Y. 1992) (in considering an uncontested motion to terminate judgment in an anti-trust case, a court must determine whether termination is in the public interest), because the terms of the judgment merely prohibit that which is already prohibited by the antitrust laws and therefore the judgment no longer serves its original purpose of protecting competition;

ORDERED, ADJUDGED, AND DECREED:

That said final judgment is hereby terminated.

Dated: December 3, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a stylized flourish at the end.

ALISON J. NATHAN
United States District Judge