

1 Anthony E. Desmond
2 Jill Nickerson
3 Crossan R. Andersen
4 Antitrust Division
5 Department of Justice
6 450 Golden Gate Avenue
7 San Francisco, California 94102

FILED

SEP 9 1976

WILLIAM L. WHITTAKER, CLERK

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11)
12 Plaintiff,)
13 v.)
14 BANKAMERICA CORPORATION;)
15 BANK OF AMERICA NATIONAL TRUST)
16 & SAVINGS ASSOCIATION;)
17 BANKERS TRUST NEW YORK CORPO-)
18 RATION;)
19 BANKERS TRUST COMPANY;)
20 THE PRUDENTIAL INSURANCE)
21 COMPANY OF AMERICA;)
22 E. HORNSBY WASSON; and)
23 PAUL A. GORMAN,)
24 Defendants.)

Civil Action No.
75-2109 RFP

Filed: May 7, 1976

Entered: Sept. 9, 1976

25 FINAL JUDGMENT

26 Plaintiff, United States of America, having filed its
27 complaint herein on October 6, 1975, and defendant, E. Hornsby
28 Wasson, having appeared by his attorneys, and plaintiff and
29 the aforesaid defendant, by their respective attorneys, having
30 consented to the entry of this Final Judgment without trial or
31 adjudication of any issue of law or fact herein and without
32 this Final Judgment constituting evidence or admission by any
party with respect to any issue of law or fact herein;

NOW, THEREFORE, before the taking of any testimony and
without trial or adjudication of any issue of fact or law herein,
and upon the consent of the parties hereto, it is hereby,
ORDERED, ADJUDGED, AND DECREED:

SEP 9 1976

I

This Court has jurisdiction over the subject matter and the parties consenting hereto. The complaint states a claim upon which relief may be granted under Section 8 of the Act of Congress of October 15, 1914 (15 U.S.C. §19), as amended, commonly known as the Clayton Act.

II

Defendant, E. Hornsby Wasson, is enjoined and restrained from serving as a director of BankAmerica and Bank of America or any subsidiary thereof, while serving as a director of The Prudential Insurance Company of America or any of its subsidiaries.

III

Upon sixty (60) days written notice to the Attorney General, the defendant may file a petition in this Court for the abatement or modification of this Judgment if, after the date of the entry of this Judgment, an act of Congress or decision of the Supreme Court of the United States provides that director interlocks between banks and non-banks are exempt from the provisions of 15 U.S.C. §19, reading as follows:

" . . . No person at the same time shall be a director in any two or more corporations, any one of which has capital, surplus, and undivided profits aggregating more than \$1,000,000 engaged in whole or in part in commerce, other than banks, banking associations, trust companies, and common carriers subject to the Act to regulate commerce, approved February fourth, eighteen hundred and eighty-seven, if such corporations are or shall have been theretofore, by virtue of their business and location of operation, competitors so that the elimination of competition by agreement between them would constitute a violation of any of the provisions of any of the antitrust laws. . . ."

IV

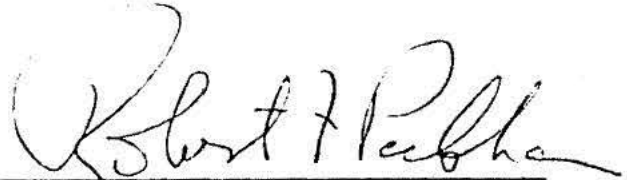
Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction or modification of any of the provisions thereof, for the enforcement of compliance therewith, and for the punishment of violations thereof. This Final Judgment shall be in full force and effect for a period of twenty (20) years from the date of entry of this Final Judgment and thereafter will have no further force and effect.

V

Entry of this Final Judgment is in the public interest.

Dated:

September 9, 1976


UNITED STATES DISTRICT JUDGE