

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 51C2064
)	
NATIONAL ELECTRIC SIGN ASSOC.,)	
MAURICE R. ELY,)	JUDGE: Amy St. Eve
JOHN K. LAMB,)	
SIDNEY C. FRASER,)	
and HENRY K. LAMBKE,)	DATE STAMP: June 30, 2004
)	
Defendants.)	
)	

STIPULATION

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. International Sign Association (“ISA”), the successor in interest to defendant National Electric Sign Association, will file a motion requesting that the Court terminate the Final Judgment entered in this case on April 5, 1954. The United States tentatively has agreed to the termination of the Final Judgment, but as a matter of policy does not consent to the termination of judgments without public notice and an opportunity for public comments.

2. ISA shall publish at its own expense a notice of the proposed termination, in the form attached hereto as Exhibit A, in two consecutive issues of (a) the Washington Post and (b) Signs of the Times. An Order, in the form attached hereto as Exhibit B, directing such publication, may be filed and entered by the Court forthwith, without further notice to any party or any other proceedings.

3. The United States will publish in the Federal Register a notice, in the form attached hereto as Exhibit C, announcing the motion of ISA to terminate the Final Judgment and the United States' tentative consent to it, summarizing the Complaint and Final Judgment, describing the procedures for inspection and obtaining copies of relevant papers, and inviting the submission of comments.

4. A period for public comment shall end sixty days after the last publication of the notices required by this Stipulation. Within a reasonable time after the conclusion of the sixty-day public comment period, the United States will file with the Court copies of all comments that it receives and its response to those comments.

5. An Order, a proposed form of which is attached hereto as Exhibit D, terminating the Final Judgment entered in this cause of action on April 5, 1954, may be filed and entered by the Court upon the request of any party or by the Court *sua sponte*, at any time after the United States has filed with the Court any comments that it receives and any responses thereto and without further notice to any party or any other proceedings, provided that the United States has not withdrawn its tentative consent. The United States may withdraw its tentative consent at any time before the entry of an Order terminating the Final Judgment by filing a notice of withdrawal of its consent with the Court and serving a copy of said notice upon all other parties.

6. In the event that the United States withdraws its consent, or if the proposed Order terminating the Final Judgment is not entered pursuant to this Stipulation, then this Stipulation shall be of no effect whatsoever; the making of this Stipulation shall be without prejudice to any party in this or any other proceeding; and the Stipulation shall not thereafter be used in this or any other action or for any other purpose.

Dated: June 30, 2004

FOR PLAINTIFF
UNITED STATES OF AMERICA

 /s/
R. Hewitt Pate
Assistant Attorney General

 /s/
Thomas O. Barnett
Deputy Assistant Attorney General

 /s/
Dorothy B. Fountain
Deputy Director of Operations

 /s/
Maribeth Petrizzi
Chief, Litigation II Section

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Antitrust Division

FOR INTERNATIONAL SIGN ASSOCIATION

 /s/
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Dated: June 4, 2004

 /s/
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