UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

DEC 1 2 1979
S. D. OF N. Y.

UNITED STATES OF AMERICA,

Plaintiff,

V .

Civil Action No. 24-13

IMPERIAL CHEMICAL INDUSTRIES, LTD.

IMPERIAL CHEMICAL INDUSTRIES (NEW YORK), LTD.

E. I. du PONT de NEMOURS & COMPANY, INC.

REMINGTON ARMS COMPANY, INC., et al.,

Defendants.

CONSENT ORDER

The Court has retained jurisdication in this matter pursuant to Section XVI of the final Judgment entered July 30, 1952;

The plaintiff, the United States of America, and the defendant, E. I. du Pont de Nemours & Company, Inc. ("du Pont") have entered into a stipulation dated August 24, 1979, and filed with the Court on August 28, 1979 which provides that an order vacating the final judgment as to du Pont may be filed and entered provided that the plaintiff has not withdrawn its consent. The plaintiff's consent to the vacation order was subject to receiving and reviewing comments by any interested person. Plaintiff reserved the right to withdraw its consent to the vacation of this final judgment as to du Pont and to state a linal position after further investigation. Plaintiff has not withdrawn its consent; and,

In the joint memorandum submitted by the United jtates and du Pont on August 28, 1979, in support of the application to vacate, the following appears on page 9 in footnote 6:

Obviously, the reasons which support termination of this judgment as it applies to du Pont would support termination as to the other defendants. These defendants have not pariticipated in negotiations nor joined in du Pont's request for termination. They are, however, being served with notice of this proceeding. Upon their request, and in the absence of new information received during the public comment period by the government, the government would be prepared to consent to termination of this judgment in its entirety.

and,

On September 25, 1979, the defendant Remington Arms Company, Inc. ("Remington") filed an application asking this Court to consider a motion to vacate the final judgment as to it, and the plaintiff, the United States of America, consented to such motion subject to receiving and reviewing comments by any interested person. Plaintiff reserved the right to withdraw its consent to the motion to vacate this final judgment as to Remington and to state a final position after further investigation. Plaintiff has not withdrawn its consent; and,

Industries, Ltd. and ICI Americas, Inc., as successor corporation to defendant Imperial Chemical Industries (New York), Ltd., ("ICI") filed an application asking this Court to consider a motion to vacate the final judgment as to it, and the plaintiff, the United States of America, consented to such motion subject to consider a motion to vacate the final judgment as to it, and the plaintiff, the United States of America, consented to such motion subject to receiving and reviewing comments by any interested person.

instiff reserved the right to withdraw its consent to the social to vacate this final judgment as to ICI and to state a final position after further investigation. Plaintiff has not withdrawn its consent;

NOW, THEREFORE, IT IS ORDERED THAT:

The final judgment entered July 30, 1952, as modified through April 21, 1953, is hereby vacated as to all remaining defendants, including specifically:

E. I. du Pont de Nemours & Company, Inc.

Remington Arms Company, Inc.

Imperial Chemical Industries, Ltd.

ICI Americas, Inc.

The above Order is agreed to by and between the undersigned parties, by their respective attorneys:

For Plaintiff:

UNITED STATES OF AMERICA,

Greggry/ 5. Hovendon/

Matthew E. (Jalle

Attorneys

United States Department of Justice

Antitrust Division

Washington, D.C. 20530

For the Defendant:

E. I. DU PONT DE NEMOURS & COMPANY, INC. COVINGTON & BURLING

Denied W

For Defendant:

REMINGTON ARMS COMPANY, INC.,
DONOVAN LEISURE NEWTON & IRVINE

By Comes C. Without.

· For Defendants:.

IMPERIAL CHEMICAL INDUSTRIES, LTD. and ICI AMERICAS, INC.

DAVIS, POLK & WARDWELL

By Henry Lling

so ordered: DEC 5, 1979.

U.S.D.J

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