

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

STANDARD WOOD COMPANY, *et al.*,
Defendants.

1:20-mc-00113
(Originally Equity No. 8-99)

DECLARATION OF JOSEPH MUOIO

I, Joseph Muoio, do hereby declare and state as follows:

1. I am an attorney admitted to practice in New Jersey. Since July 2019, I have served as Acting Chief of the New York Office of the Antitrust Division of the Department of Justice.
2. This Declaration is being submitted in support of the United States of America's Motion to Terminate A Legacy Antitrust Judgment 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 judgment in this case, the librarians of the Antitrust Division were instructed to research and confirm the corporate status of the corporate defendants. Based on the information provided to me by the librarians, I believe that the defendants are no longer in business nor are any of their successor entities. This belief is based upon the following research by the librarians:


- 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 the five corporate defendants are still in business. Standard Wood was incorporated in New Jersey at the time of the case, and did not appear in the New Jersey incorporation records database; it has an

active entry in the New York Department of State Division of Corporations database as a foreign company (New Jersey) dating from the time before New York started revoking incorporation status for inactivity. Shrader Wood Co. was incorporated in Pennsylvania and published a notice of dissolution in 1920. Conway Wood Co. was incorporated in Maine at the time of the case and does not appear in the databases of Maine or New York incorporation records. Greene Manufacturing Co. was incorporated in New York at the time of the case, and there are no longer New York incorporation records available; a newspaper notice indicates the company was foreclosed upon and its assets auctioned in 1922. Empire Wood Co. was incorporated in New Jersey and does not appear in the databases of New Jersey or New York incorporation records. With regard to the individual defendants, given the age of the judgment and the passage of time, all of the individual defendants are highly unlikely to still be actively engaged in the relevant activities from this judgment.

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

Dated: February 24, 2020
New York, N.Y.



Joseph Muoio
Acting Chief, New York Office
United States Department of Justice, Antitrust Division