

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
) Civil Action
 v.)
) No. 68-C 2167
 HART SCHAFFNER & MARX,)
)
 Defendant.)

STIPULATED ORDER

WHEREAS, Plaintiff, United States of America, filed its complaint herein on November 13, 1968, and Defendant, Hart Schaffner and Marx, appeared and filed its answer to the complaint denying the substantive allegations thereof; and

WHEREAS, Plaintiff and Defendant, by their respective attorneys, consented to the entry of a Final Judgment by this Court, dated June 1, 1970, without trial or adjudication or any issues of fact or law and without this Final Judgment constituting any evidence against or any admission by any party hereto with respect to any such issue of fact or law; and

WHEREAS, Section IV of said Final Judgment, as amended, required Defendant by February 28, 1975, to divest itself of at least

30 men's retail clothing stores which in the aggregate accounted for the purchase of not less than 52,500 men's better priced suits during the fiscal year ending January 31, 1969; and

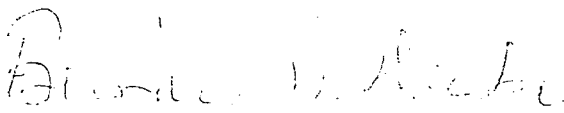
WHEREAS, Section V of said Final Judgment, as amended, enjoined and restrained Defendant for a period of ten years, commencing June 1, 1970 and ending June 1, 1980, from acquiring, directly or indirectly, without the consent of the Antitrust Division of the United States Justice Department or the approval of this Court, any financial interest in, or any assets, business, good will or capital stock of any persons operating any men's retail clothing store; and

WHEREAS, a Stipulated Order entered by this Court on April 1, 1974, enjoined the Defendant for a three (3) year period, commencing April 30, 1974 and ending April 30, 1977, from acquiring, opening or establishing a men's retail clothing store in the city of New York, island of Manhattan in the geographic area bounded on the north by 4th Street, bounded on the east by the East River, and bounded on the west by the Hudson River and the North River (excepted from this restraint was the relocation of Defendant's men's retail clothing store at 253 Broadway); and

WHEREAS, all of the requirements of the said Final Judgment and Stipulated Order have been fulfilled by Defendant, all purposes to be served by said Final Judgment and Stipulated Order have been served, and said Final Judgment has been satisfied in all respects,


IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED THAT:

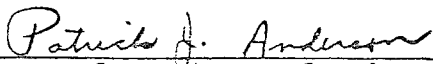
The said Stipulation be and hereby is approved, defendant Hart Schaffner & Marx is hereby relieved of said Final Judgment dated June 1, 1970 as amended, said Final Judgment is vacated and this case is dismissed.


United States District Judge

Dated: *September 30, 1981.*

The parties through their respective counsel stipulate that this order should be entered.


Attorney for the Plaintiff
United States of America


Attorney for the Defendant
Hart Schaffner & Marx