

APPENDIX B:
SUMMARY OF REASONS FOR TERMINATING EACH JUDGMENT
(Ordered by Year Judgment Entered)

In Equity No.: G-17

Case Name: United States v. Standard Sanitary Mfg. Co., *et al.*

Year Judgment Entered: 1911

Section of Judgment Retaining Jurisdiction: Judgment did not explicitly mention retention of jurisdiction, but the Court has inherent authority to modify consent decrees they have issued. *See* Fed. R. Civ. P. 60(b)(5). *Accord United States v. Swift & Co.*, 286 U.S. 106, 114-15 (1932).

Description of Judgment: Defendants enjoined from, among other things, using license agreements and price lists to attempt to monopolize interstate commerce in the sale of sanitary enameled ironware; and making any agreement or arrangement that would have the effect of interfering with competition in the interstate trade in sanitary enameled ironware.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Twelve of fifteen corporate defendants appear to no longer exist, and all 33 individual defendants appear to no longer be living.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing and attempted monopolization).

Public Comments: None.

In Equity No.: 1073

Case Name: United States v. The Ward Food Products Corporation, *et al.*

Year Judgment Entered: 1926

Section of Judgment Retaining Jurisdiction: 15

Description of Judgment: Defendants enjoined from, among other things, owning stock or having control, directly or indirectly, in one another's companies; and from acquiring, directly or indirectly, the whole or any part of the stock of any competing company that would lessen competition between the two companies or tend to create a monopoly.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Five of the seven corporate defendants appear to no longer exist.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (merger or acquisition likely to substantially lessen competition). The Department of Justice or the Federal Trade Commission can review any acquisition covered by the judgment that raises antitrust concerns. These agencies' ability to review transactions is facilitated by the Hart-Scott-Rodino Antitrust Improvements Act of 1976, 15 U.S.C. §18a, which requires companies notify the Department of Justice and the Federal Trade Commission when proposed transactions meet certain thresholds.

Public Comments: None.

In Equity No.: 1424

Case Name: United States v. Confectioners Club of Baltimore, *et al.*

Year Judgment Entered: 1930

Section of Judgment Retaining Jurisdiction: III

Description of Judgment: Defendants enjoined from, among other things, conspiring or agreeing to withhold patronage from any candy manufacturers who sells their products to non-members of defendants' association; from conspiring to prevent candy manufacturers from shipping and selling their products freely; from threatening to boycott candy manufacturers who sold their products to non-members of defendants' association; and from conspiring or agreeing to fix, establish, or maintain wholesale and/or retail prices to be charged for candy products.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Most of the 52 corporate and individual defendants appear to no longer be in business or living.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, group boycotts).

Public Comments: None.

Civil Action No.: 9122

Case Name: United States v. Maryland State License Beverage Assn., Inc., *Et Al.*

Year Judgment Entered: 1958
Year Judgment Entered: 1958 (Added Additional Defendants)
Year Judgment Entered: 1959 (Imposed Restrictions on Defaulting Defendants)
Year Judgment Entered: 1959 (Added Additional Defendants)
Year Judgment Modified: 1959 (Amended Certain Language)
Year Judgment Modified: 1959 (Amended Certain Language)
Year Judgment Modified: 1963 (Allowed Certain Types of Advertising)
Year Judgment Modified: 1971 (Allowed Certain Sponsorships at Annual Conventions)

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendants enjoined from, among other things, agreeing among themselves or with any wholesalers or retailers to fix prices for the sale of alcoholic beverages; boycotting or refusing to deal with any person engaged in the purchase, sale, or distribution of alcoholic beverages; urging or coercing any person to adopt prices at which alcoholic beverages should be sold or urging or coercing any manufacturers to refuse to make sales directly to particular customers; and engaging in trade association activities with the purpose of policing or enforcing the prices of alcoholic beverages.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Eight of fourteen corporate defendants appear to no longer exist.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing, group boycotts).

Public Comments: None.

Civil Action No.: 12330

Case Name: United States v. Charg-It of Baltimore, Inc.

Year Judgment Entered: 1960

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendant enjoined from, among other things, entering into agreements, adopting policies, or conditioning sales in a manner that promotes exclusivity between defendant and merchants in the provision of a central credit service plan.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Defendant appears to no longer exist.
- Market conditions likely have changed. In particular, credit services technology and markets have evolved substantially since entry of the judgment that the market of concern (central credit service plans) likely is small in volume and faces new competition.

Public Comments: None.

Civil Action No.: 14308

Case Name: United States v. The H.E. Koontz Creamery, Inc., *et al.*

Year Judgment Entered: 1967

Section of Judgment Retaining Jurisdiction: VI

Description of Judgment: Defendant milk distributors enjoined from, among other things, entering into agreements with any other distributor to fix prices, exchange price information, or submit rigged bids; and distributors also enjoining from communicating price information to another distributor before such information is made know to the trade or public.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Six of the nine corporate defendants appear to longer exist.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.

Civil Action No.: 21545

Case Name: United States v. Prince George's County Board of Realtors, Inc.

Year Judgment Entered: 1970

Section of Judgment Retaining Jurisdiction: IX

Description of Judgment: Defendants enjoined from, among other things, conspiring to fix the commission rates for the sale, lease, or management of real estate; urging or suggesting real estate agents adhere to any schedule of commissions for the sale, lease, or management of real estate; boycotting or refusing to do business with any person; and establishing any fees for its Multiple Listing Service not related to the cost of providing the service.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.

Civil Action No.: 71-821 HM

Case Name: United States v. Sweetheart Bakers, Inc., *et al.*

Year Judgment Entered: 1972

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendants enjoined from, among other things, entering into any agreement to fix the prices, discounts, or terms of sale of bakery products.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Two of the three corporate defendants appear to no longer exist.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.

Civil Action No.: 71-822 HM

Case Name: United States v. The E.H. Koester Bakery Co., *et al.*

Year Judgment Entered: 1972

Section of Judgment Retaining Jurisdiction: X

Description of Judgment: Defendants enjoined from, among other things, entering into any agreement to fix the prices, discounts, or terms of sale of bakery products.

Reasons Judgment Should Be Terminated:

- Judgment more than ten years old.
- Two of the three corporate defendants appear to no longer exist.
- Judgment terms largely prohibit acts the antitrust laws already prohibit (price fixing).

Public Comments: None.