

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
UNITED STATES OF AMERICA Plaintiff v. PABST BREWING COMPANY, SCHENLEY INDUSTRIES, INC. THE VAL CORPORATION Defendants	For plaintiff: Bertram M. Long Earl A. Jinkinson Room 404, United States Courthouse 219 S. Clark St. Chicago 4, Illinois

November 21, 1972

For defendant: (Local attys.)

Ray T. McCann (for Pabst Brewing Co.)

Ralph M. Hoyt (for Schenley Industries
and The Val Corp.)

All impounded documents in 2 red envelopes in Clerk's safe.

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	3-29-71 4-13-71	68711 Treas. U.S. Dow. # 19	7089 -	
J.S. 6 mailed	Marshal				7089 -
Basis of Action: Viol. Sec. 7 of Clayton Act To require Pabst to divest itself of business and assets Action arose at: of Blatz.	Docket fee Witness fees Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
10/1/59	Complaint filed; Summons issued. Pltf's motion and order that summons be issued and service made by the Marshal.	
10/6/59	Summons ret'd. Served Deft. Val Corp. on 10/5/59.	
10/9/59	Summons ret'd. Served Deft. Schenley Industries, Inc. on 10/6/59 by Dep. U. S. Marshal, New York City.	
10/13/59	Summons ret'd. Served Deft. Pabst Brewing Co. on 10/7/59.....	
10/19/59	Order extending time for defts. to answer extended to 12/14/59.	
11/13/59	Pltf's Request for Deft. Pabst Brewing Co. answer certain Interrogatories with Notice of Filing with Clerk; Proof of Service; and Affidavit of Mailing Request to Ray T. McCann, atty for Pabst Brewing Co. and Robert S. Marx, Cincinnati, Ohio, atty for Schenley Industries, Inc. and The Val Corp.	
11/16/59	Order extending time for Deft. Pabst Brewing Co. to object to Interrogatories extended to 12/22/59; time which deft. may answer interrogatories extended to 1/6/60.	
12/1/59	Appearance of Ralph M. Hoyt, atty. for Defts. Schenley Industries, Inc. and The Val Corp.	
12/10/59	Affidavit of Gunter Bethke in support of Defts' motions for Summary Judgment of Dismissal as to Defts. Schenley Industries Inc. and The Val Corp. with Motion and Notice of Motion. Exhibits A, B. and C attached.	
12/14/59	Motion of deft. Pabst to strike Paragraph 17 of complaint, or alternatively for more definite statement, with aff. of mailing, and supporting brief.	
"	Brief in support of motions for summary judgment of dismissal as to defts., Schenley Industries, Inc. and The Val Corp.	
12/18/59	Agreed order extending time to answer or object to interrogatories, and time to file brief in opposition to deft's motion to strike or for more definite statement.	
1/13/60	Pltf's motion for production and inspection of documents under Rule 34, together with supporting affidavit of Earl A. Jinkinson and notice and affidavit of service.	
1/21/60	Memorandum in support of Objections to Interrogatories served on deft. Pabst Brewing Co. 11/13/59	
"	Objections of Deft. Pabst Brewing Company, to Interrogatories served on Deft. Pabst Brewing Company on 11/13/59 and Affidavit of Mailing.	
1/27/60	Pltf's More Definite Statement Voluntarily Submitted under Rule 12(e) with respect to paragraph 17 of the complaint.	
"	Pltf's Memorandum in Opposition to Motion of Deft. Pabst Brewing Company to Strike Par. 17 from the Complaint or in the Alternative for a More Definite statement of Claim.	
1/29/60	Deft. Pabst granted up to 2/15/60 to file its brief; Pltf. granted up to 3/7/60 to file brief.	
2/1/60	Brief of the United States in Opposition to the motions of the defendants Schenley Industries, Inc. and The Val Corporation for Summary Judgment of Dismissal as to them; Affidavit of Earl Jinkinson in opposition to Motions for Summary Judgment of Dismissal as to the defts. Schenley Industries, Inc. and The Val Corp.; Notice and Affidavit of Mailing covering the above documents.	
2/15/60	Agreed order: 1. withdrawing motions of Pabst to strike Paragraph 17 from complaint or make more definite and certain; 2. Extending time of Pabst to answer to 4/15/60; Withdrawing pltf's motion for producing of documents, without prejudice; and providing that Pabst shall furnish names and addresses of beer distributors, etc.	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Note
2/15/60	HEARING (RET) on defts' motion for summary judgment.	
2/23/60	Transcript of Proceedings upon Hearing on Defts' (Schenley Industries, Inc.) and The Val Corporation) Motion for Summary Judgment of Dismissal. (2/15/60)	
2/26/60	Order that time which deft. Pabust Brewing Co. may answer interrogatories served by pltf. extended to 3/7/60 with consent of pltf.	
3/7/60	Motion of deft., Pabst Brewing Co., for protective order with respect to answers to interrogatories served on it by pltf Nov. 13, 1959, with supporting affidavit by Joseph R. Gray.	
"	Notice of deft's motion for protective order, etc.	
"	Deft's answers to interrogatories 1,2,3,4,5,6,7,8,9,12(b),13,17,20,21,22,23,24, 25 and 30 filed, and given <u>confidential treatment</u> by order of the court.	
3/7/60	Agreed order that pltf. have until 3/22/60 to file brief in opposition to objections of deft, Pabst, to certain interrogatories served on 11/13/59.	
3/9/60	Order that Deft. Pabst Brewing Company's Answers to pltf's interrogatories numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 12(b), 13 as it applies to 12(b) 17, 20, 21, 22, 23, 24, 25 and 30 filed with this court on 3/7/60 shall be accorded confidential treatment; answers to be filed with the court in a sealed envelope to be placed in custody of the clerk, etc.	
3/16/60	Deft. Pabst Brewing Company's Notice that on 3/16/60 the names and addresses of beer distributors or wholesalers within the continental United States who handled either Pabst-brewed beer or Blatz-brewed beer in the month of July 1958 and since 8/1/58 to 12/31/58, have ceased handling Pabst-brewed beer, will be filed.	
3/21/60	Order that Interrogatories numbered 11, 12(a), 15, 16, 18, 27 and 29 served by pltf. on the Deft. Pabst Brewing Company on 11/13/59 are withdrawn without prejudice; that interrogatories numbered 10, 12(c) 14, 19, 26 and 28 are hereby amended and modified; further that Deft. Pabst Brewing Company is granted leave to 4/22/60 to answer interrogatories 12(c) 14, 19 and 28 as modified by this order and is granted up to 5/22/60 to answer Interrogatories 10 and 26 as modified by this order.	
4/7/60	Memorandum decision, and order denying motions of defts, Schenley Industries, Inc. and The Val Corporation for summary judgments of dismissal.	
4/12/60	Order extending time for defts. Schenely Industries, Inc. and The Val Corp. to answer extended to 5/9/60 with consent thereof.	
4/15/60	Answer of Defendant, Pabst Brewing Company, filed.	
4/22/60	Deft. Pabst Brewing Company's Notice of Filing Answer to Pltf's Interrogatories with Affidavit of Mailing.	
"	Answers of Deft. Pabst Brewing Company to Interrogatories 12(c), 13 as it applies to 12(c), 14, 19 and 28 Served on said deft. 11/13/60 as amended and modified by agreed order entered 3/21/60.	
4/22/60	Agreed order that deft., Pabst's answers to interrogatories 12(c), 13 as it applies to 12(c), 14, 19 and 28 shall be accorded <u>confidential treatment</u> .	
4/28/60	Deft., Pabst's, notice of filing amendment of answer to Interrogatory 12(c) as amended. Said answer to be accorded confidential treatment.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
5/4/60	Pltf's motion for a preliminary injunction, with supporting affidavit of Earl A. Jinkinson. Notice of motion filed.	
"	Pltf's motion to strike certain matter from the answer of the deft., Pabst Brewing Co.	
5/5/60	Answer of Defts. Schenley Industries, Inc. and The Val Corp. filed, with Defts' Proof of Service by Mail to attys. for pltf. and Atty. for Deft. Pabst Brewing Company.	
5/9/60	HEARING (RET) on pltf's motion for prelim. inj. and motion to strike.	
5/13/60	Order fixing times for filing briefs, affidavits and counter-affidavits with respect to Pltf's motion for a temporary injunction.	
5/17/60	Pltf's motion to strike certain matter from the answer of defts., Schenley Industries, Inc. and The Val Corporation, with Notice of Motions.	
5/23/60	HEARING (RET) on pltf's motion to strike portions of answers.	
5/23/60	Agreed order fixing time for deft., Pabst, to answer interrogatories 10 and 26, as amended and modified by agreed order of 3/21/60, and directing that said answers be accorded confidential treatment.	
5/31/60	Agreed order extending time for filing briefs.	
6/8/60	Pltf's Brief in support of Motion to Strike Certain Matter from the Answer of Defts. Schenley Industries, Inc. and The Val Corporation with Notice of Filing Brief in Clerk of Court office.	
6/8/60	Deft. Pabst Brewing Company's Notice of filing the following listed below with pltf's Proof of Service.	
"	Answer of Pabst Brewing Co. to pltf's Motion for preliminary injunction.	
"	Memorandum in support of deft. Pabst Brewing Company's first defense in its answer to pltf's motion for preliminary injunction.	
"	Affidavit of Rocco B. Bunino in opposition to pltf's motion for preliminary injunction.	
"	Affidavit of Joseph R. Gray in opposition to pltf's motion for preliminary injunction.	
"	Affidavit of William W. Heusner in opposition to pltf's motion for preliminary injunction.	
"	Affidavit of Glenn W. McGee in opposition to pltf's motion for preliminary injunction.	
"	Memorandum in opposition to pltf's motion to strike in part Par. 19 of Deft. Pabst Brewing Company's Answer.	
6/7/60	Deft., Schenley's, motion to deny pltf's motion for preliminary injunction against Schenley, with supporting memorandum and appendix containing affidavits (copies), which have been filed earlier in the case.	
"	Agreed order that portions of pltf's motion for preliminary injunction filed on 5/9/60 requesting injunctive relief against Pabst with respect to the former Blatz Brewery in Milwaukee are withdrawn with prejudice. Deft., Pabst will not sell or dispose of former Blatz equipment or facilities located thereon on 6/7/60 which were there on 7/29/58 until further order; provided that readily replaceable miscellaneous minor pieces of equipment are not affected by this order.	
6/22/60	Answers of Deft. Pabst Brewing Co. to Interrogatories 10 and 26 served on Deft. 11/13/59 as amended and modified by Agreed Order entered 3/21/60 (THESE ANSWERS ARE CONFIDENTIAL.)	
"	Notice of Filing Answers to Interrogatories.	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Ord Judgment
6/27/60	Interrogatories of Deft. Pabst Brewing Co. addressed to pltf. with Notice of Filing Interrogatories and Affidavit of Mailing.	
6/28/60	Pltf's reply brief supporting motion to strike certain matter from answer of deft., Pabst Brewing Co.	
7/6/60	Brief of Defts, Schenley and Val, in opposition to Pltf's Motion to Strike Certain Matters from their Answer.	
"	Agreed order extending time of pltf to file briefs to 7/25/60.	
7/8/60	Notice and Proof of Service of Agreed Order of 7/6/60.	
"	Agreed order extending time of pltf to file answers or objections to interrogatories served by Pabst on 6/24/60 to 10/15/60; oral hearing on pltf's motion for prelim. inj. to be held following filing of pltf's answers to said interrogatories numbered 9 to 15 and 58 to 67, except where pltf's objections thereto are sustained by the court.	
8/4/60	Pabst's Memorandum in reply to Pltf's brief in opposition to deft, Pabst's, first defense to pltf's motion for preliminary injunction.	
9/7/60	Transcript of Proceedings upon Hearing on (1) Pltf's Motion for Preliminary Injunction; (2) Pltf's Motion to Strike Certain Matter from the Answer of Deft. Pabst Brewing Company.	
10/13/60	Order granting pltf. until 11/15/60 within which time to file its answer or objections with respect to each of the interrogatories served on it 6/24/60 by deft. Pabst Brewing Co.	
11/14/60	Answers to Certain Interrogatories served on Pltf. by Deft. Pabst Brewing Co. 6/24/60.	
"	Objections of Pltf. to Interrogatories served on it 6/24/60 by Deft. Pabst Brewing Co.	
"	Notice and Affidavit of Mailing covering above Answers and Objections of Pltf.	
11/18/60	Brief in Support of Pltf's Objections to Certain Interrogatories served on it 6/24/60 by Deft. Pabst Brewing Company; Affidavit of Mailing covering the above brief.	
11/28/60	Agreed order extending time for filing briefs.	
12/5/60	Order that the time within which pltf. may file its Reply Brief to the brief to be filed by the Deft. Pabst is extended to 1/23/61.	
12/16/60	Motion of Deft. Pabst Brewing Company to Compel Plaintiff to Completely Answer Interrogatories 7, 10 and 14 served on Plaintiff by said Defendant on 6/24/60.	
"	Brief in Answer to Pltf's Objections to Certain Pabst Interrogatories served on Plaintiff 6/24/60 and in support of the Pabst Motion to Compel Plaintiff to completely answer other interrogatories.	
1/23/61	Pltf's Notice of filing with Clerk of Court pltf's Reply brief with Respect to Its Objections to Certain Interrogatories served on it 6/24/60 by Deft. Pabst Brewing Co. and in Opposition to Pabst's Motion to Compel Pltf. to answer completely other interrogatories.	
"	Pltf's Reply Brief with Respect to its Objections to Certain Interrogatories served on it 6/24/60 by Deft. Pabst and in Opposition to Pabst's Motion to compel pltf. to answer completely other Interrogatories.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1/30/61	Consent and order substituting Leonard J. Emmerglick as atty. for Schenley Industries, Inc. and The Val Corporation, in place of Roy G. Holmes and Robert S. Marx. Atty. Ralph Hoyt continues as local counsel for them.	
7/18/60	Plaintiff's Reply Brief in support of motion to strike certain matters from the answer of defendants, Schenley Industries, Inc. and The Val Corporation.	
7/25/60	Brief in opposition to defendant Pabst Brewing Company's First Defense in its answer to plaintiff's motion for preliminary injunction.	
3/8/61	Agreed order setting down oral arguments on the following motions: 1. Motion of Pltf. to strike certain matter from the answer of Defts. Pabst Brewing Company, Schenley Industries, Inc. and The Val Corp. 2. Objections of Pltf. to Interrogatories of Deft. Pabst Brewing Company, 3. Motion of Deft. Pabst Brewing Co. to compel pltf. to completely answer Interrogatories 7, 10 and 14.	
3/28/61	Notice of substitution of Leonard J. Emmerglick as one of the attys for Schenley and Val, in place of Robert S. Marx and Roy G. Holmes, and for termination of appearance of firm of Nichols, Wood, Marx & Ginter as counsel for said defts.	
3/28/61	Hearing on pltf's Motion to strike certain matters from Answer of defts, etc.	
3/31/61	Order denying motion of Pltf. to strike certain matter from the Answer of Deft. Pabst Brewing Co.	
"	Order Denying Motion of pltf. to strike certain matters from the Answer of Defts. Schenley Industries, Inc. and The Val Corporation.	
5/1/61	Transcript of proceedings upon hearing of (1) Pltf's motion to strike certain matters from answer of defts; (2) Pltf's objections to interrogatories of deft., Pabst; and (3) Motion of deft., Pabst, to compel pltf to answer interrogatories 7, 10 and 14. Hearing held on 3/28/61.	
5/15/61	Pre-trial conference.	
6/21/61	Transcript of pre-trial conference held 5/15/61.	
7/7/61	Order following 5/15/61 pre-trial conference. Second pre-trial conf. set for 10/9/61 at 2:00 P.M.	
9/18/61	Pltf's response to pre-trial order of 7/7/61, listing witnesses to be called, etc.	
9/29/61	Deposition of Harris Perlstein taken by pltf. at Chicago, Ill. on 8/7/61.	
"	" " Rocco B. Bunino " " " " " " 8/8/61. No. I.	
"	" " " " " " " " " " 8/9/61. No. II.	
10/16/61	Agreed order adjourning second pre-trial conf. from 10/23/61 to 11/20/61.	
11/20/61	Pre-trial conf. held. (RET) Pre-trial order issued.	
11/22/61	Order following 11/20/61 pre-trial conf. Further pre-trial conf. scheduled for 1/15/62 at 2:00 p.m.	
1/11/62	Pltf's further response to pre-trial order (Paragraph 1D) dated 11/22/61.	
1/15/62	Pre-trial conf. held. Order entered.	
1/18/62	Order following 1/15/62 pre-trial conf. (RET)	
1/19/62	Revised page 11 of Pltf's Further Response to pre-trial order filed.	
1/29/62	Deft., Pabst Brewing Co., motion for an order authorizing Clerk to issue subpoenas duces tecum to each of witnesses named in Pltf's response to pre-trial order filed 9/15/61 and pltf's further response filed 1/10/62.	
4/4/62	Agreed order that clerk shall issue subpoenas for service in any judicial district of the U. S. to witnesses named in Pltf's response etc. to pre-trial order.	
5/21/62	Deft. Pabst's motion for entry of a protective order and for clarification of court's order of 4/4/62, to be heard 5/22/62.	

D. C. 110A Rev. Civil Docket Continuation

6

DATE	PROCEEDINGS	Date Order Judgment No
5/22/62	HEARING on motion of Pabst for protective order and clarification of 4/4/62 order. Order issued by court, to be drafted by Atty. McGee.	
5/22/62	Tabulated information on production and sales figures filed by Berlin Brewing Co.	
5/24/62	Affidavit of Henry Dhein, Jr., V-Pres. of West Bend Lithia Co., on production and sales figures.	
5/28/62	Affidavit of Frederick J. Effinger, Asst. Sec'y and Treas. of Effinger Brewing Co., Baraboo, Wis. on production and sales figures. (Mailed to Atty. David A. Nelson).	
5/29/62	Ltr. dated 5/28/62 from Atty. Nelson suggesting following entry:	
5/25/62	Responses to subpoenas returnable this date returned by Clarence Rothe, Rahr Green Bay Brewing Co.; Richard F. Haidlinger, Peoples Brewing Co.; Roland J. Marx, George Walter Brewing Co.; Harry Eikenberry, Froedtert Malt Corp.; Herbert Kurth, Kurth Malting Co.; Herbert Ladish, Ladish Malting Co.; Clarence Alt, Rahr Malting Co.; C. Robert Morris, Zinn Malting Co.; Stanley Williams, Wisconsin Malting Co. Return date extended to 6/8/62 on subpoenas returnable this date served upon Lorenz Kuenzl, Oshkosh Brewing Co.; Edmund C. Bloedorn, Fox Head Brewing Co.; David Struther, Joseph Schlitz Brewing Co.	
5/29/62	Stipulated "protective order" providing that documents produced in response to subpoenas shall be returned to the party producing them after the attorneys for the parties have had an opportunity to inspect and copy them. Copies to be admissible as to authenticity, but may be objected to on grounds of relevancy, and may be contradicted as to truth of the contents, or accuracy. All copies shall be treated as confidential until further order of the court, and may be disclosed only to the attorneys or employees of the parties as may be actively engaged in the preparation of this case for use only in the preparation of this case, and not otherwise. Addn'l provisions that U. S. may have addn'l time to subpoena other evidence if not satisfied with the responses already made.	
5/31/62	Response of G. Heileman Brewing Co. to subpoena, Affidavit of Roy E. Kumm, Pres., and motion to quash the subpoena as to information not furnished in the response filed. (Exhibit B-1 containing figures on production, etc. removed from affidavit and mailed to Atty. David A. Nelson).	
6/4/62	Affidavit of Edmund B. Koller, pres. of The Walter Brewing Co., Pueblo, Colorado, giving figures on productions and sales in response to subpoena.	
"	Ltr. dated 6/2/62 from Carl H. Arens, Chicago, Ill., stating that he had no records, and his understanding that he would not have to appear in response to subpoena on 6/8/62.	
6/7/62	Affidavit of George J. Holas, Pres. of the Pilsen Brewing Co., Chicago, Ill. giving figures on production, sales, etc. in response to subpoena.	
"	Affidavit of Geno Castagnoli d/b/a Solano Distributing Co., Vallejo, Calif. giving figures on purchases of Pabst and Blatz beer, and gross profit figures on beer sales.	
6/12/62	Ltr. dated 6/11/62 from Atty. Nelson suggesting following entry:	
6/8/62	Responses to subpoenas returnable this date returned by Edmund C. Bloedorn, Fox Head Brewing Co.; Milton Hutchins; J. F. Fesenmeier, Fesenmeier Brewing Co.; Thomas J. Fatato, Eastern Brewing Co.; Harold B. Bloomquist, Rhineland Brewing Co.; Phillip Castagna. Return date extended to 6/22/62 on subpoenas returnable this date served upon, David Struther, Schlitz Brewing Co.; Jones, Atlantic Brewing Co.; Fred W. Huber, Huber Brewing Co.; George W. Betz, Betz Distributing Co.	
6/18/62	Motion of Richard G. Jones, V-Pres. and Gen'l Mgr. of Jackson Brewing Co., New Orleans, La. to quash subpoena duces tecum.	
6/20/62	Affidavit of Phillip F. Neuweiler, Pres. of Neuweiler Brewing Corp., Allentown, Pa., giving figures on production, sales, etc. in response to subpoena. (Mailed to Atty. David A. Nelson).	

DATE	PROCEEDINGS	Date Order or Judgment Noted
6/21/62	Affidavit of J. M. Delmar, Exec. V-Pres. and Gen. Mgr. of Gulf Brewing Co., Houston, Texas, containing information in response to subpoena. (Forwarded to Atty. David A. Nelson).	
"	Affidavit of Frederick Sitterding, 3rd, Pres. of Home Brewing Co., Inc., Richmond, Va., containing information in response to subpoena. (Forwarded to Atty. Nelson).	
6/22/62	Affidavit of Joseph V. Burns., Pres., Eagle Brewing Co., Catasauqua, Pennsylvania, containing information in response to subpoena. (Given to Atty. Nelson).	
"	Affidavit of Herbert Epstein, Pres., Pfeiffer Brewing Co., Detroit, Mich., containing information in response to subpoena. (Given to Atty. Nelson.)	
6/25/62	Affidavit of Joseph T. Ortlieb, Pres., Henry E. Ortlieb Brewing Co., Philadelphia, Penn. containing information in response to subpoena. (Mailed to Atty. Nelson.)	
"	Affidavit of Paul A. White, Gen. Mgr., The Pilsener Brewing Co., Cleveland, Ohio containing information in response to subpoena. (Mailed to Atty. Nelson).	
6/27/62	Motion of August Wagner Breweries, Columbus, Ohio, by James Amento, Pres., to quash subpoena duces tecum.	
7/2/62	Response of Peerless Transportation Co., Dayton, Ohio, distributor for Pabst in Ohio, to subpoena dated 6/7/62. (Mailed to Atty. Nelson).	
"	Affidavit of James H. Hall, owner of Hall Distributing Co., Salisbury, N.C. in response to subpoena. Employee of Blatz and Pabst in connection with sales and distribution. (Mailed to Atty. Nelson).	
7/3/62	Ltr. dated 7/2/62 from Atty. David A. Nelson suggesting the following entry: June 22: response to subpoena returnable this date returned by J. Miner Culp, Oertel Brewing Co. Return date extended to 7/13/62 on subpoenas returnable this date served upon: George W. Betz, Betz Distributing Co.; Tyrus R. Jones, Atlantic Brewing Co.; David Struther, Schlitz Brewing Co.; R. Leiter Fitzsimons, American Brewery, Inc.; Bruce Berckmans, International Breweries, Inc.; Jack Sobel, Beverage Distributing Co. of Maryland; Charles S. Withrow; John G. Hoyer, Frank Fehr Brewing Co.; Robert A. Schiffer, Goebel Brewing Co. Return date extended to 7/27/62 on subpoena returnable this date served upon B. P. Bahonnon, Standard Brewing Co.	
7/9/62	Ltr. dated 7/5/62 from Fred Koch Brewery, Dunkirk, N.Y., Jas. M. Mead, Jr., Treasurer, advising that because of summer vacations, they requested a 60 day delay in responding to subpoena. (Copy sent to Atty. Nelson).	
7/10/62	Motion of John G. Hoyer, acting V-Pres. and managing officer of Frank Fehr Brewing Co., Louisville, Ky, to quash subpoena duces tecum, with supporting affidavit of John G. Hoyer.	
7/11/62	Affidavit of William T. Middleton, 312 Broadway, Sterling, Illinois, in response to subpoena.	
"	Affidavit of James E. Sapp, Jr., V-Pres. and Gen. Counsel of Standard Brands Incorporated, 625 Madison Ave., New York 22, N.Y., in response to subpoena.	
"	Affidavit of Dewey Johnson, owner and operator of Lancaster Bottling Works, 305 Union St., Lancaster, Ohio, in response to subpoena.	
"	Affidavit of Luttie Talmage Harris, sole proprietor, d/b/a Harris Distributing Co., Durham, N.C. in response to subpoena. Due to affiant's illness, the business was discontinued on 4/30/62. (All 4 affidavits filed on 7/11/62 forwarded to Atty. Nelson).	
7/13/62	Affidavit of George William Betz, Beloit, Wis. in response to subpoena. (Delivered to Atty. Nelson).	
"	Material furnished by Diamante Distributing Co., Lansing, Michigan, by Anthony Diamante, in response to subpoena.	
"	Affidavit of R. Leiter FitzSimons, Pres. of American Brewery, Inc., 1700 N. Gay St., Baltimore, Maryland, in response to subpoena. (Delivered to Atty. Nelson).	

DATE	PROCEEDINGS	Date Order of Judgment Not
7/17/62	<p>Ltr. dated 7/16/62 from Atty. David A. Nelson suggesting the following entry: July 13: Responses to subpoenas returnable this date returned by Thomas Evans, Evans Beverage Co.; John A. Baynes, Jr.; Edwin Wunderlin, A. W. Walsh Co.; Richard B. Hoeksema, Meyer Distributing Co.; F. E. Raraty, Albert Schwill & Co.; Tyrus R. Jones, Atlantic Brewing Co.; Jack Soebel, Beverage Distributing Co.; Robert A. Schiffer, Coebel Brewing Co.; Charles Lee, Alpena Beer Distributing Co.; Marcus Hoffard; Fred E. Moseley; Charles S. Withrow. Return date extended to July 27, 1962 on subpoenas returnable this date served upon: Edward Fitzgerald, Fitzgerald Bros. Brewing Co.; William Seeley, Fitzgerald Bros. Brewing Co.; Don L. Gamache; Everett Bartoletti; David Struther, Joseph Schlitz Brewing Co.; Bruce Berckmans, International Breweries, Inc.; Fred W. Huber, Huber Brewing Co. Return date extended to August 24, 1962 on subpoena returnable this date served upon James M. Mead, Fred Koch Brewery, Inc.</p>	
7/25/62	<p>Affidavit of William E. Fitzgerald, Jr., Pres. of Fitzgerald Bros. Brewing Co., Troy, N.Y. in compliance with subpoena. (forwarded to Atty. Nelson).</p>	
7/27/62	<p>Four typewritten sheets of figures furnished by Alvin E. Heutchy, Sec'y and Gen'l Atty. of F. & M. Schaefer Brewing Co., purchaser on 6/20/61 of Standard Brewing Co., of Cleveland, Ohio, in response to subpoena. (Transmitted to Atty. Nelson)</p>	
"	<p>Two boxes of records rec'd from Bouma & Gamache, 504 Water St., Manistee, Mich. At direction of Atty. Nelson, to be shipped collect by Railway Express to him.</p>	
7/30/62	<p>Affidavit of William Seeley that he is no longer employed by Fitzgerald Bros. Brewing Co., Troy, N.Y., and that he does not have any of their records.</p>	
"	<p>Affidavit of Herbert M. Phillips, Atty-in-fact for Cleveland-Sandusky Brewing Corp., Cleveland, Ohio, in response to subpoena. (Mailed to Atty. Nelson).</p>	
"	<p>Affidavit of Frank J. Becht, Treas. of International Breweries, Inc., Detroit, Mich., in response to subpoena. (Mailed to Atty. Nelson).</p>	
"	<p>Motion of International Breweries, Inc. to modify subpoena or to require advancement of costs of complying therewith, with supporting affidavit of Frank J. Becht, Treas. of International Breweries, Inc.</p>	
"	<p>Affidavit of Everett Bartoletti, d/b/a Bartoletti Beverage Co., in response to subpoena. (Mailed to Atty. Nelson).</p>	
8/3/62	<p>Ltr. dated 8/2/62 from Atty. David A. Nelson suggesting the following entry: July 27: Responses to subpoena returnable this date returned by David Struther, Joseph Schlitz Brewing Company and Fred W. Huber, Huber Brewing Co.</p>	
8/27/62	<p>Three typewritten sheets of figures furnished by Jas M. Mead, Jr., Treasurer Fred Koch Brewery in response to subpoena. (transmitted to Atty. Nelson)</p>	
9/5/62	<p>Ltr. dated 9/4/62 from Atty. Nelson advising of receipt of "corrective affidavit of Harry Eikenberry", V-Pres. of Froedtert Malt Corp.</p>	
9/7/62	<p>Ltr. dated 9/6/62 from Atty. Nelson acknowledging receipt of seven boxes of documents from Don L. Gamache of Manistee, Michigan.</p>	
10/12/62	<p>Pre-trial conf. (RET) Pre-trial order entered, to be prepared by counsel.</p>	
10/26/62	<p>Order following 10/12/62 pre-trial conf. Further pre-trial conf. set for 2/25/63 at 2:00 p.m.</p>	
2/19/63	<p>Deft., Pabst Brewing Co's, response to order following pre-trial conf. of 10/12/62, together with Appendix I, II, III.</p>	
2/25/63	<p>Pre-trial conf. (RET) Protective order signed. Parties to prepare pre-trial order.</p>	
"	<p>Protective order, on motion of deft., Pabst Brewing Co., for confidential treatment of Pabst Brewing Co's response to order following pre-trial conf. of 10/12/62, including appendices thereto. (Material to be held confidential was filed on 2/19/63.) (Held in clerk's safe.)</p>	
3/13/63	<p>Order following pre-trial Conference of 2/25/63. Final pre-trial to be held 5/6/63.</p>	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4/15/63	Ltr. dated 4/12/63 from U. S. Atty. stating issues involved in the case, pursuant to 3/13/63 order.	
4/29/63	Ltr. dated 4/27/63 from deft., Pabst, stating issues involved in the case.	
5/6/63	Pre-trial conference. (RET) Order entered.	
5/7/63	Order following 5/6/63 pre-trial conference. Trial set for 10/11/63. Estimated that trial will last for 2 months.	
8/20/63	Ltr. dated 8/19/63 from govt. amending items referred to on page 30 of "Pltf's Further Response to Pre-trial Order filed on 1/10/62, by adding certain material.	
9/11/63	Pre-trial conf. with the court. (RET) Trial rescheduled for 1/6/64. Briefs due 12/23/63.	
9/12/63	Order following 9/11/63 conference. Trial rescheduled for 1/6/64. Para. 2 of 5/7/63 amended, re filing of briefs.	
12/16/63	Conference with the Court (RET). Trial date adjourned to 1/27/64 at request of parties. Dates of pre-trial order extended three weeks.	
1/3/64	Conference with the Court. (RET) Parties present motions for issuance of subpoenas for witnesses outside of district. No objections. Orders signed.	
"	Govt's motion, and order permitting pltf. to issue subpoenas to witnesses residing more than 100 miles from Eastern Dist. of Wis.	
1/4/64	Motion of Pabst, and order permitting Pabst to issue subpoenas to witnesses residing more than 100 miles from the Eastern District of Wisconsin.	
1/13/64	Pre-trial conf. (RET) Trial on liability only to be commenced 1/27/64. On Wed. of each week, parties to be furnished list of witnesses to be called the following week, in the order they will appear. Exchange of charts to be made 10 days before being offered. Parties to prepare order.	
"	Trial brief of deft., Pabst Brewing Co.	
"	" " " pltf., United States of America.	
1/20/64	Agreed order listing documents, and the admissibility thereof, etc.	
1/23/64	Deft., Pabst Brewing Co's, reply to govt's pretrial brief.	
1/24/64	Govt's reply brief on the "Failing Enterprise" doctrine.	
1/23/64	Affidavit of Geno Castagnoli of Vallejo, Calif. dated 1/21/64.	
1/27/64	Motion of Wisconsin-Zinn Malting Corp. for a protective order on sales and production figures of Wisconsin Malting Co. (a predecessor), with affidavit of Stanley Williams, aff. of mailing and notice of motion.	
"	Motion of Wisconsin-Zinn Malting Corp. for a protective order on sales and production figures of Zinn Malting Co., Inc. (movant's former name), with aff. of Stanley Williams, aff. of mailing and notice of motion.	
"	Motion of Kurth Malting Co. for a protective order on sales and production figures, with affidavit of Walter A. Teipel, aff. of mailing and notice of motion.	
"	Stipulation and consent order (Protective Order) that Ladish Malting Co. sales figures and figures of any individual maltster shall not be read orally in the court, but shall be examined by the Court and the record otherwise be deemed sealed and available only to the court, the parties and their respective counsel.	
1/23/64	Govt's ltr. dated 1/22/64 stating that the govt. had decided to put in its case purely with documents, with no live witnesses, so that govt. would probably rest within two days commencing on 1/27/64.	
1/27/64	Trial by the court (RET) commenced.	
1/28/64	" " " " continued. Pabst Brewing Co.'s Govt. rests. Deft. file motion for dismissal. Defts. to notify court on 2/4/64 if motion will be seriously pressed. If not, trial will resume 2/25/64.	
"	Trial transcript, Volume I, Pages 1 to 122, Jan. 27, 1964.	
1/29/64	" " " " II, " 123 to 230, Jan. 28, 1964.	
2/4/64	HEARING (RET): Conference with the court. Deft. will press motion to dismiss. Pltf. will file brief pointing out its case by 2/24/64. Deft's answering brief by 3/16/64. Pltf's reply brief by 3/23/64. Oral argument on 3/16/64, date for oral argument to be set.	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order Judgment I
2/7/64	Consent order for protection of records of Zinn Malting Co., Inc., on stip.	
"	" " " " " " " " Wis. Malting Co. " "	
"	" " " " " " " " Kurth Malting Co. " "	
2/24/64	Govt's brief in opposition to deft's motion to dismiss.	
3/16/64	Brief of deft., Pabst Brewing Co., in support of its motion to dismiss.	
3/30/64	Govt's reply brief to brief of deft., Pabst, in support of its motion to dismiss.	
4/30/64	HEARING (RET) on motion of deft., Pabst Brewing Co., to dismiss. Taken under advisement. Deft. to provide proposed findings and pltf. to respond. (2 wks and 2 wks.)	
5/15/64	Pabst Brewing Co.'s proposed findings of fact and conclusions of law.	
5/25/64	Transcript of 4/30/64 proceedings on deft's motion to dismiss.	
6/1/64	Govt's response to proposed findings of fact submitted by the deft., Pabst Brewing Co.	
9/22/64	Opinion of court holding that motion of deft., Pabst, for dismissal must be granted. Deft's counsel to prepare proposed findings of fact and conclusions of law and submit them to pltf. for approval as to form.	
10/13/64	Findings of fact and conclusions of law.	
"	Final judgment of dismissal, granting deft., Pabst Brewing Co.'s, motion for judgment of dismissal, and dismissing the complaint with prejudice.	
12/11/64	Notice of appeal to the Supreme Court of the United States filed by the pltf. from the judgment entered on 10/13/64. Govt's certificate of service of notice of appeal on attys. in the case.	
1/22/65	Order, on application of Clerk of Court, extending time for docketing record on appeal in Supreme Court of U.S. until 3/15/65.	
3/1/65	Order, on application of Clerk of Court, extending time for docketing record on appeal in Supreme Court of U. S. until 3/29/65.	
3/18/65	Order, on application of Clerk of Court, extending time for docketing record on appeal in Supreme Court of U. S. until 4/30/65.	
4/22/65	Order, on application of Clerk of Court, extending time for docketing record on appeal in Supreme Court of U. S. until 5/31/65.	
5/28/65	Order, on application of Clerk of Court, extending time for docketing record on appeal in Supreme Court of U. S. until 6/30/65.	
6/29/65	Order, on application of Clerk of Court, extending time for docketing record on appeal in Supreme Court of U. S. until 7/31/65.	
7/27/65	Appeal record forwarded to Clerk, U. S. Supreme Court, Washington, D. C.	
11/12/65	Certified copy of 11/8/65 order of Supreme Court of the U.S. noting probable jurisdiction.	
6/15/66	Copy of U. S. Supreme Court decision rec'd, reversing decision of District Court.	
7/12/66	Certified copy of judgment of U. S. Supreme Court dated 6/13/66 reversing judgment of U. S. District Court and remanding for further proceedings in conformity with opinion of Supreme Court.	
8/1/66	Pltf's motion for addn'l protective order requiring deft. to protect value of Blatz brand name, with affidavit of Bertram M. Long.	
10/17/66	Pre-trial conf. (RET) Order entered. Trial set for 4/4/67.	
10/18/66	Order following 10/17/66 pre-trial conf. Final pre-trial conf. set for 2/3/67. Trial to resume on 4/4/67.	
11/16/66	Agreed Order of Amendment to Order following Pre-Trial conf. of 10/17/66.	
2/2/67	Response of Deft. Pabst to orders following pre-trial conf. of 10/17/66.	
2/3/67	Pre-trial conf.(RET). Deft. will put in its case in April. There will then be a hiatus before rebuttal.	
3/23/67	Amendment of Answer to Interrogatory 12 (b) served on Deft. Pabst Brewing Co. Nov. 13, 1959, as amended and modified by Agreed Order entered 3/21/60 with Notice of Filing.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4/6/67	Transcript of Proceedings upon Trial to the Court (Pages 231-361 incl.)	
4/6/67	Transcript of Proceedings upon Trial to the Court (Pages 362-500 incl.)	
4/7/67	Transcript of Proceedings upon Trial to the Court (Pages 501-650 incl.)	
4/10/67	Transcript of Proceedings upon Trial to the Court (Pages 651-713 incl.)	
4/11/67	Transcript of Proceedings upon Trial to the Court (Pages 714-791 incl.)	
4/12/67	Transcript of Proceedings upon Trial to the Court (Pages 791-963 incl.)	
4/17/67	Transcript of Proceedings upon Trial to the Court (Pages 964-1144 incl.)	
4/17/67	Transcript of Proceedings upon Trial to the Court (Pages 1145-1334 incl.)	
4/17/67	Transcript of Proceedings upon Trial to the Court (Pages 1335-1423 incl.)	
4/20/67	Transcript of Proceedings upon Trial to the Court (Pages 1424-1542 incl.)	
4/20/67	Transcript of Proceedings upon Trial to the Court (Pages 1543-1725 incl.)	
4/20/67	Transcript of Proceedings upon Trial to the Court (Pages 1726-1899 incl.)	
4/21/67	Transcript of Proceedings upon Trial to the Court (Pages 1900-2053 incl.)	
4/26/67	Transcript of Proceedings upon Trial to the Court (Pages 2054-2134 incl.)	
4/26/67	Transcript of Proceedings upon Trial to the Court (Pages 2135-2232 incl.)	
4/26/67	Transcript of Proceedings upon Trial to the Court (Pages 2233-2416 incl.)	
5/3/67	Transcript of Proceedings upon Trial to the Court (Pages 2417-2601 incl.)	
5/3/67	Transcript of Proceedings upon Trial to the Court (Pages 2602-2781 incl.)	
5/3/67	Transcript of Proceedings upon Trial to the Court (Pages 2782-2866 incl.)	
5/3/67	Transcript of Proceedings upon Trial to the Court (Pages 2867-2976 incl.)	
5/3/67	Transcript of Proceedings upon Trial to the Court (Pages 2977-3157 incl.)	
5/3/67	Transcript of Proceedings upon Trial to the Court (Pages 3158-3175 incl.)	
5/25/67	Agreed Order (RET) that pltf. may take deposition of Herbert L. Barnett in preparation for rebuttal, etc.	
6/8/67	Agreed Order (RET) that pltf. may take deposition of Marshall Lachner, etc.	
6/15/67	Deposition of Herbert L. Barnett, taken by pltf. pursuant to Agreed Order of Court on 6/12/67 at New York, N. Y.	
6/19/67	Deposition of Marshall S. Lachner, taken by pltf. on 6/8/67 at New York.	
6/23/67	Transcript of Proceedings upon Trial to the Court (Pages 3176 to 3360 incl.)	
6/23/67	Transcript of Proceedings upon Trial to the Court (Pages 3361 to 3547 incl.)	
6/23/67	Transcript of Proceedings upon Trial to the Court (Pages 3548 to 3713 incl.)	
6/29/67	Transcript of Proceedings upon Trial to the Court (Pgs. 3714 to 3908 incl.)	
6/20/67	Trial to the court re-commenced. Continued on 6/21/67, 6/22/67. Adjourned to 6/27/67. Concluded on 6/28/67. Briefs to be filed.	
4/4/67	Trial to the court commenced; Continued on April 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, May 1, 2, 3, 1967. Adjourned to 6/20/67.	
7/5/67	Agreed Order (RET) re schedule for preparation and filing of post-trial briefs.	
9/29/67	Agreed Order (RET) re filing of briefs, etc.	
10/16/67	Post-trial brief for the United States.	
10/16/67	Proposed Findings of Fact and Conclusions of Law.	
10/16/67	Pltf's Notice of Filing Post Trial Brief for the U.S. and Proposed Findings of Fact and Conclusions of Law.	

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D. C. 110 Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order Judgment No
1/2/68	Additional Proposed Findings of Fact and Conclusions of Law submitted by Deft. Pabst Brewing Co.	
1/2/68	Answer of Pabst Brewing Co. to Post-Trial Brief of the United States.	
1/2/68	Proposed Findings of Fact and Conclusions of Law regarding deft's Failing Company Defense.	
1/2/68	Reply Brief of the United States to Defts' Brief in support of their "Failing Company" Contention.	
1/5/68	Proposed Findings of Fact and Conclusions of Law regarding Deft's Failing Company Defense.	
1/5/68	Reply Brief of the United States to Defts' Brief in support of their "Failing Company" Contention.	
10/1/68	Oral Argument (RET) Taken under advisement.	
10/29/68	Transcript of Proceedings upon Oral Argument to the Court (pages 1-158)	
11/14/68	Memorandum of Pabst Brewing Company with Notice of Filing.	
2/28/69	Findings of Fact and Conclusions of Law (RET) finding that the probable effects of the acquisition of Blatz by Pabst may be substantially to lessen competition or to tend to create a monopoly in the production, distribution and sale of beer in the continental United States, the State of Wisconsin, and the three state areas of Wisconsin, Illinois and Michigan, all of which areas are considered relevant market areas, and further, finding that the defts. have failed to satisfy their burden of proving the material elements of the failing firm defense.	
3/25/69	Plaintiff's Notice of Filing Motion for Additional Protective Order.	
3/25/69	Plaintiff's Motion for Additional Protective Order.	
3/25/69	Conference with the Court with Respect to Relief. (RET) Parties will present proposed decrees on April 28, 1969 at 2:00 PM. Order to be entered.	
4/3/69	Order (RET) that deft. Pabst Brewing Co. be required to: (1) Use its best efforts to maintain the current level of production and sale of its Blatz brands of beer; and (2) Expend for advertising and sales promotion of its Blatz brands of beer an amount which on an annual basis shall not be less than the average rate spent per barrel for such purposes for the years 1967 and 1968; and (3) Continue to offer to sell all its Blatz brands of beer to those distributors who at this time are selling such brands and use its best efforts to retain those distributors and, in the event of loss of a distributor, to replace such distributor; and (4) Not dispose of any Blatz brand or trade-mark without prior order of this court. Further ordered, that plaintiff will submit to counsel for Pabst and Schenley as soon as practicable a proposed decree providing for divestiture and on April 28, 1969 at 2:00 PM a conference will be held with the Court to report on the progress in negotiating such a decree.	
4/24/69	Government's Memorandum on the Question of Relief.	
4/28/69	Hearing; (RET) Conference with the court re proposed decrees. Parties will report on progress 5/16/69 at 2:00 PM. Conference held in camera at request of parties with only counsel for parties present.	
5/14/69	Conference with the Court (RET) Parties still negotiating. Will appear again on 6/4/69 at 2:00 PM	
6/4/69	Conference with the Court (RET) Conference held. Hearing on relief to be held on July 8, 1969 at 10:00 A.M.	
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DATE	PROCEEDINGS	Date Order or Judgment Noted
6/6/69	Conference with the court (RET) Pabst will present proposed decree by 6/10/69 and serve it on all interested parties. Other interested parties will also present proposed decrees. Conference - 6/12/69 at 2:00 PM. Government will outline its position on necessity for advertising.	
6/12/69	Conference with the Court (RET) Order entered.	
6/13/69	Order (RET) that on or before 6/20/69, counsel for each prospective purchaser will furnish counsel for the parties, counsel for the other prospective purchasers, and the court with the finalized offer of purchase which he wishes to the court to consider in affording relief, etc. A hearing on the question of relief will be held on 6/26/69 at 10:00 A.M.	
6/18/69	Deft. (Pabst) Motion for Production of Documents, with affidavit of Glenn W. McGee in support thereof.	
6/23/69	Memorandum in Support of Government's Opposition to Deft. Pabst's Motion for Production of Documents under Rule 34, with Notice of Filing.	
6/23/69	Request for Admissions of Fact Pursuant to Rule 36 filed by deft. Pabst Brewing Co.	
6/23/69	Notice of Filing Response to Order Following Conference on Relief of 6/12/69 filed by Deft. Pabst Brewing Co.	
6/26/69	Brief of Grain Belt Breweries, Inc. (Grain Belt) in Support of its Offer to Acquire Blatz Brewing Co. (Blatz) Business and Assets.	
6/26/69	Protective Order (RET).	
7/7/69	Application of Harold B. Jackson, Jr. for a temporary restraining order.	
7/7/69	Petition of Duquesne Brewing Company for permission to intervene and to submit a written offer to purchase the Blatz business. (James C. Mallien, attorney for Duquesne Brewing Company).	
7/14/69	Proposal filed by United Black Enterprises, with affidavit of Harold B. Jackson, Jr.	
7/15/69	Motion of Stroh Brewery Company to Intervene, with Memorandum in support of its offer to purchase assets relating to Blatz Brand.	
7/18/69	Withdrawal of Offer by Bankit Industries, Ltd.	
7/28/69	Brief of The Stroh Brewery Company.	
7/29/69	Statement of Robert A. Hammond III, Deputy Asst. Atty. Gen. Antitrust Divn. Dept. of Justice, Washington, D. C. that the Government does not object to the Pabst Motion to Sell the Blatz Brands to the G. Heileman Brewing Company (received by Teletype).	
7/25/69	Hearing on Relief (RET) commenced 6/27, contd. on 7/1, 7/2, 7/7, 7/8, 7/9, 7/10, 7/14, 7/15, 7/16, 7/17, 7/18, 7/22, 7/23, 7/24/ concluded 7/25/69. Briefing scedule established. Pabst withdraws motion for sale to Assoc. and substitutes motion for sale to Heileman. Under advisement.	
7/31/69	Post-Trial Brief in Support of Heileman's Offer.	
7/31/69	Government's Memorandum on Relief.	
7/31/69	Motion of Deft. Pabst Brewing Co. for entry of final judgment.	
7/31/69	Pabst Memorandum at Close of Hearing on Divestiture.	
7/31/69	Proposed Final Judgment concerning Blatz Brands.	
* 8/1/69	Transcript of Proceedings re hearing on relief. (pages 1-2806) (pages 730A-859, 1271-1312, 1387-1512, 1518-1607, 2009-2025, 2613A-2727 2807A-2846 in camera).	
8/4/69	Notice and Affidavit of Mailing concerning Government's Proposed final judgment.	
8/4/69	Government's Proposed Final Judgment.	
8/5/69	Reply brief of Stroh-Grain Belt.	
8/6/69	Opinion (RET) - Pabst's motion for entry of judgment based on the Heileman offer, consented to by the Government, is granted.	
*8/1/69	Transcript of Proceedings upon Trial to the Court (pp 1 to40)	

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D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order Judgment N
8/6/69 8/6/69	Hearing (RET) in re distribution of Opinion and conferences. Final Judgment Covering Blatz Brands (RET) - ordering divestiture of the Blatz business (defined as the trade names Blatz and Tempo and tangible and intangible assets associated therewith) to G. Heileman Brewing Co., Inc. on the closing date (defined as Sept. 2, 1969 or such other date as may be fixed by agreement of Pabst and Heileman) said divestiture substantially in accordance with terms of the memo of agreement between Heileman and Pabst and letter of 7/14/69 from counsel for Heileman increasing offer to \$10,750,000 etc; making provision for compliance, retaining jurisdiction to supervise transfer and denying all motions of any party or prospective purchaser relating to the divestiture of Blatz.	
8/7/69	Notice by Dept. of Justice of service as to Government's Memorandum on Relief.	
1/20/70	Motion for Entry of Final Judgment concerning Blatz Brewery.	
2/1/71	Motion of Schenley Industries, Inc. and The Val Corporation for Entry of Final Judgment, with Proposed Final Judgment.	
2/8/71	HEARING (RET) 1. Motion of Schenley and Val for entry of Final Judgment of Dismissal and 2. Motion for entry of final judgment concerning Blatz Brewery. Taken under advisement.	
2/11/71	Memorandum (RET) and Final Judgment dismissing the action, with prejudice, and without costs as to defts. Schenley & Val Corp.; as to deft. Pabst Brewing Co. finding that the acquisition of Blatz Brewing Co. by Pabst violated Section 7 of the Clayton Act and ordering divestiture; approving the agreement by the Pabst & Heileman regarding the Blatz brands and providing for sale of the Blatz Brewery; further, providing that if bona fide efforts result in no sale within three years, Pabst may retain the property, but may not use it for producing beer or ale or additives for five years unless certain conditions are met; further, enjoining certain acquisitions by Pabst and providing for an inspection, reporting and publication procedure and for retention of jurisdiction for certain purposes and providing for assessment of costs. <u>Agreement between Heileman and Pabst referred to in IV of judgment, submitted in camera, sealed and placed in Clerk's safe.</u>	
3/18/71	Costs taxed against Pabst Brewing Co. in the sum of \$7,089.00. (copy mailed to attys. on 3/19/71).	
4/19/71*	Agreed Order (JWR) that all trial exhibits may be removed from the custody and control of the Clerk for return or otherwise appropriate disposition.	
5/12/71	Report pursuant to Par. VIII and V A of Final Judgment.	
8/12/71	Letter dated 8/11/71 from Joseph R. Gray re attempts to sell the Blatz Brewery.	
11/12/71	Continuation of Report pursuant to Par. V A of the Final Judgment.	
2/14/72	Continuation of Report pursuant to Par. V A of the final judgment.	
5/12/72	Continuation of Report pursuant to Par. V A of the final judgment.	
8/14/72	Continuation of Report pursuant to Par. V A of the final judgment.	
11/13/72	Continuation of Report pursuant to Par. V A of the final judgment.	
*4/19/71	Pltf's receipt for all pltf's and joint trial exhibits.	
11/21/72	Letter to Glenn W. McGee (Chicago, Ill.) re return of Pabst exhibits.	
11/27/72	Pabst Exhibits picked up.	
11/28/72	Plaintiff's exhibits picked up 270-298.	

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DATE	PROCEEDINGS	Date Order or Judgment Note
2/13/73	Continuation of Report pursuant to Par. V A of the final judgment.	
5/14/73	ditto ditto ditto ditto	
11/12/73	ditto ditto ditto ditto	
2/12/74	ditto ditto ditto ditto	
5/14/74	ditto ditto ditto ditto	
8/ 12/74	ditto ditto ditto ditto	
10/9/74	Motion of Pabst Brewing Co. for entry of order entitled "Order Vacating Portion of Final Judgment entered Feb. 11, 1971" with supporting memorandum.	
10/9/74	Order (RET) vacating Portion of Final Judgment entered 2/11/71.	
8/2/76	Copy of letter recd. from the US Dept. of Justice, Antitrust Divn. Chicago, Ill., stating that the judgment for costs in the sum of \$7,089.00 entered against Pabst around 3/19/71 was satisfied - records indicate that Pabst paid this judgment on or about 4/13/71.	
10/13/88	ORDER(RWW) ORDERING the Clerk to unseal all sealed materials in this case and return them to the original file.	

D. C. 110A Rev. Civil Docket Continuation

APPEARANCES

DATE	PROCEEDINGS	Date Order or Judgment Noted
	<p><u>Pabst Brewing Co.</u></p> <p>Ray T. McCann 152 W. Wis. Ave. Milwaukee 3, Wis. Tel: Broadway 6-3565</p> <p>Edward H. Fiedler 122 S. Michigan Ave. Chicago 3, Illinois Tel: WA 2-5500</p> <p>John T. Chadwell, John W. Thomas, and Glenn W. McGee of Snyder, Chadwell, Keck, Kayser & Ruggles 135 S. LaSalle St. Chicago 3, Ill. Tel: RA 6-2545</p>	
	<p><u>United States of America</u></p> <p>Bertram M. Long Midwest Office Antitrust Division Dept. of Justice Room 2634, United States Courthouse 219 South Dearborn St. Chicago, Illinois 60604</p> <p>Earl A. Jinkinson Room 404, U. S. Courthouse 219 S. Clark St. Chicago 4, Illinois</p> <p>I. A. Seibel Room 3408, Anti-Trust Divn. Dept. of Justice Washington, D. C. 8-202-737-2415</p>	
	<p><u>Schenley Industries, Inc. and The Val Corporation</u></p> <p>Ralph M. Hoyt 735 N. Water St. Milwaukee 2, Wis.</p> <p>Roy G. Holmes and Robert S. Marx of Nichols, Wood, Marx & Ginter 900 Tri-State Building Cincinnati 2, Ohio</p>	
	<p><u>NOTE:</u> Following the death of Robert S. Marx, the firm of Nichols, Wood, Marx & Ginter discontinued their appearance in the case, and the following attorney was substituted in their place:</p> <p>Leonard J. Emmerglick Tower Building 1000 Connecticut Ave. 14th and K Streets Washington 5, D. C.</p>	

DATE	PROCEEDINGS	Date Order or Judgment Noted