

DOCKET

DOCKET 2282
217 F. Supp. 110 (1963)
378 U.S. 158

TITLE OF CASE

ATTORNEYS

United States of America

✓ Penn-Olin Chemical Company,
✓ Olin Mathieson Chemical Corporation and
✓ Pennsalt Chemicals Corporation.

For Plaintiff:

~~Leonard G. Wagner~~
C. Greenfield

For Defendant:

Wm. S. Potter

James M. Tennell Jr (Paper 119) ^{PT 119}

Anti Trust

DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
MONTH	DAY	YEAR				MONTH	DAY	YEAR			

ABSTRACT OF COSTS

To Whom Due	Amount

RECEIPTS, REMARKS, ETC.

Steel J

UNITED STATES DISTRICT COURT

DATE			FILINGS—PROCEEDINGS	No. of Words	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
MONTH	DAY	YEAR			PLAINTIFF	DEFENDANT	
1	Jan	6	1961		355		
2	Jan	6	1961		166		
3	Jan	23	1961				
4	Jan	23	1961				
5	Jan	23	1961				
6	Jan	23	1961				
7	Jan	24	1961				
8	Jan	26	1961				
9	Jan	30	1961				
10	Feb	6	1961				
11	Feb	6	1961				
12	Feb	6	1961				
13	Feb	11	1961				
14	Feb	24	1961				
15	Feb	24	1961				
16	Feb	24	1961				
17	Mar	13	1961				
18	Mar	16	1961				
19	Mar	24	1961				
20	Mar	24	1961				
21	Mar	31	1961				
PT	Apr	13	1961				
22	Apr	13	1961				
23	Apr	17	1961				
24	Apr	28	1961				
25	May	5	1961				
PT	May	18	1961				
26	May	29	1961				
27	June	5	1961				
28	June	8	1961				
29	June	8	1961				
30	June	9	1961				
31	July	17	1961				
32	July	17	1961				
33	July	17	1961				
34	July	17	1961				
35	July	24	1961				
36	July	27	1961				
37	July	27	1961				
38	Aug	8	1961				
39	Aug	8	1961				
40	Aug	8	1961				
41	Aug	30	1961				
42	Aug	30	1961				
43	Sept	1	1961				
44	Sept	5	1961				
45	Sept	6	1961				
46	Sept	6	1961				
PT	Sept	12	1961				
47	Sept	14	1961				
48	Sept	14	1961				

Case filed
see papers 28

See Paper 31

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DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
MONTH	DAY	YEAR				MONTH	DAY	YEAR			
49	Sept	20	1961	Deposition of John O. Logan							
50	Sept	20	1961	Resumed Deposition of John O. Logan							
51	Sept	20	1961	Deposition of James McWhorter							
52	Sept	21	1961	Pre Trial Order No. 4							
53	Sept	21	1961	Motion of deft for production of documents							
54	Sept	21	1961	Interrogatories of deft to pltt Set No. 11							
55	Sept	21	1961	Interrogatories of pltt Set V to deft Pennsalt							
56	Sept	22	1961	Answers of deft Olin Mathieson to pltt's Interrogatories Set IV (Olin)							
57	Sept	25	1961	Answers of Pennsalt to pltt's Interrogatories (Set III Revised)							
58	Oct	9	1961	Answers of deft Pennsalt to pltt's Interrogatories (Set V)							
59	Oct	9	1961	Interrogatories of pltt to all defts (Set VI)							
60	Oct	11	1961	Answers of pltt to defts Interrogatories Set II							
61	Oct	11	1961	Motion of pltt for production of documents by deft Pennsalt							TRIAL →
62	Oct	16	1961	Amended Answers of pltt to defts Interrogatories Set II Item 5(7)							
63	Oct	16	1961	Answers of deft Olin Mathieson to pltt's Interrogatories Set VI							
PT	Oct	7	1961	Pre-Trial Conference (Steel, J.)							
64	Oct	19	1961	Transcript of Pre-Trial Conference on 10/17/61							
65	Oct	23	1961	Application of pltt for leave to serve subpoenas and Order Leahy, S.J. granting application							
66	Oct	23	1961	Answers of deft Penn-Olin to pltt's Interrogatories (Set VI)							
67	Oct	23	1961	Answers of deft Pennsalt to pltt's Interrogatories (Set VI)							
68	Oct	24	1961	Pre-Trial Order No. 5, Steel, J.							

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DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
MONTH	DAY	YEAR				MONTH	DAY	YEAR			
69	Oct	25	1961	Deposition designation Set No. 1 of pltt, and pltt's designation of nonchlorate evidence							
70	Oct	26	1961	Application of pltt for leave to serve subpoenas and Order Leahy, S.J. granting application							
71	Oct	27	1961	Designation of witnesses for pltt.							
72	Oct	27	1961	Designation of Documents by pltt Set I							
73	Oct	27	1961	" " " " " " Set II							
74	Oct	27	1961	" " Depositions " " " " Set II							
75	Oct	27	1961	" " " " " " " " Set III							
76	Oct	27	1961	" " " " " " " " Set IV							
77	Oct	27	1961	" " " " " " " " Set V							
78	Oct	30	1961	Brief of pltt before trial							
79	Oct	30	1961	Deposition of William D. Drake			Vol. 1	Pages 1-152			
80	Oct	30	1961	" " " " " " " "			Vol. 2	" 153-284			
81	Oct	30	1961	" " " " " " " "			Vol. 3	" 285-364			
82	Oct	30	1961	" " " " " " " "							
83	Oct	30	1961	" " " " " " " "							
84	Oct	30	1961	" " " " " " " "							
85	Oct	30	1961	" " " " " " " "							
86	Oct	30	1961	" " " " " " " "							
87	Oct	30	1961	" " " " " " " "							
88	Oct	30	1961	" " " " " " " "							
89	Oct	30	1961	" " " " " " " "							

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DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED	
MONTH	DAY	YEAR				MONTH	DAY	YEAR				
90	OCT.	30	1961	Deposition of	Russell Hopkinson							
91	OCT.	30	1961	"	Walter W. Northrup							
92	OCT.	30	1961	"	Stanley de J. Osborne							
93	OCT.	30	1961	"	Derek Richardson							
94	OCT.	30	1961	"	Cecil L. Williamson							
95	OCT.	30	1961	"	Norman E. Steiss							
96	OCT.	30	1961	"	Dr. Bruno H. Wojcik							
97	OCT.	30	1961	"	James G. Johns							
98	OCT.	30	1961	"	William Royce Willett							
99	OCT.	30	1961	"	Joseph L. Wood							
100	OCT.	30	1961	Waiver of pltt to objection on ground of timeliness	Amendment by any dept of the Amendment							
101	OCT.	30	1961	Stipulation waiving signing and reading of deposition								
T	OCT.	30	1961	Trial to the Court (Steel)	Oct. 30 - Nov. 7 - Nov. 15-16, 20, 21, V.V.							
102	OCT.	31	1961	Amendment to Answer of dept	Penn Olin Chemical Company							
103	OCT.	31	1961	"	Olin Mathieson Chemical Corporation							
104	OCT.	31	1961	Amendment	Pennsalt Chemicals							
105	OCT.	31	1961	Application of depts re subpoena duces tecum to C.F. Bingham and Order Steel J. thereon								
106	OCT.	31	1961	Plt's deposition designations corrections								
107	NOV.	1	1961	Deposition of Fred C. Shanaman								
108	NOV.	2	1961	Deposition of Fred C. Shanaman								
109	NOV.	3	1961	Supplemental Designations of Depositions of Olin Mathieson								
110	NOV.	6	1961	Trial Memo of Depts								

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DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
MONTH	DAY	YEAR				MONTH	DAY	YEAR			
111	NOV.	15	1961	Deposition designation of	Albert H. Blum, Fred D. Crogan, Alfred W. Labadie, et al						
112	NOV.	15	1961	Deposition designation of	F.C. Shanaman						
113	NOV.	24	1961	Transcript of Trial Pages 1 to 24	inclusive						
114	NOV.	24	1961	"	"	529-845					
115	DEC.	7	1961	Plt's final submission of rebuttal evidence.							
116	DEC.	8	1961	Reporter's Notes of Trial Oct. 13, 1961							
117	DEC.	8	1961	"	"						
118	DEC.	8	1961	"	"						
119	DEC.	19	1961	Notice and Motion of American Potash & Chemical Corp., a non-party, for photocopy of exhibits							
120	JAN.	9	1962	Stipulation re Brief Book date							
121	JAN.	15	1962	Post Trial Brief US.							
122	JAN.	15	1962	Proposed Findings and Conclusions of USA							
123	JAN.	15	1962	Certificate of US re service of copies of papers 121-122							
124	JAN.	15	1962	General Stipulations Set # 2 under approval of Court (Steel)							
125	JAN.	19	1962	Certificate of plt re service of paper 121							
126	JAN.	29	1962	Post Trial Brief of pltt US. a (same as 121)							
127	JAN.	29	1962	Certificate of plt re service of paper 126							
128	FEB.	7	1962	Certificate of Service							
129	FEB.	7	1962	Proposed findings and conclusions of pltt							
130	FEB.	15	1962	Plaintiff's Corrections to The Record and with no opposition by depts Order Wright Ch. J. thereon							

(113) Pages 1-294
 (113A) " 295-528
 (114) " 529-845

*reentered
 May 3, 1963
 J.R. Sherry*

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and dept's Certificate of Service attached

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DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
MONTH	DAY	YEAR				MONTH	DAY	YEAR			
131	Jul	26	1962								
132	Jul	26	1962								
133	Apr	25	1962								
134	Apr	25	1962								
135	May	3	1962								
136	May	9	1962								
137	May	9	1962								
138	May	9	1962								
H	Oct	31	1962								
139	Nov	8	1962								
140	Nov	9	1962								
141	May	1	1963								
142	May	1	1963								
J	May	15	1963								
143	May	15	1963								
144	July	15	1963								
145	July	30	1963								
146	July	30	1963								
E	Aug	14	1963								
47	Sept	9	1963								

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DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
MONTH	DAY	YEAR				MONTH	DAY	YEAR			
148	Dec	11	1963								
149	June	26	1964								
150	July	20	1964								
PT	Dec	17	1964								
151	Jan	5	1965								
152	Jan	5	1965								
153	Jan	15	1965								
154	Jan	15	1965								
155	Jan	15	1965								
156	Jan	15	1965								
157	Jan	15	1965								
158	Feb	5	1965								
159	"	"	"								
160	Feb	19	1965								
161	Feb	23	1965								
162	"	23	1965								
163	Mar	18	1965								
164	Mar	15	1965								

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DATE			FILINGS—PROCEEDINGS	No. OF WORDS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
Month	Day	Year			PLAINTIFF	DEFENDANT	
207	May 24	1966	Motion of U.S. with consent of appellees and Order Layton J that the time for docketing this case on appeal in the Supreme Court of the United States shall be extended for 45 days, i.e. until July 8, 1966				
208	July 1	1966	Motion U.S. w/consent of appellees extending time until Aug. 8, 1966 for docketing case on appeal in Supreme Court of U.S. and Order Steel J. thereon				
209	Aug 5	1966	Motion of U.S. w/consent of appellees extending time to Sept. 8, 1966, for docketing case on appeal in Supreme Court of U.S. and Order Steel J. thereon				
210	Sept 7	1966	Stipulation filed but order not signed Sept. 7, 1966, to extend time to incl. Oct. 9, 1966 for docketing case on appeal in Supreme Court of U.S. and Sept. 9, 1966 Order Steel J. same pro. time as of Sept. 8, 1966				
211	Oct 7	1966	Motion U.S. with consent of appellees and Order Steel J that the time for docketing case on appeal in Supreme Court of U.S. is extended to and including Nov. 8, 1966.				
nr	Oct 25	1966	Stipulation of counsel, subj to approval of Court, all original papers and exhibits filed may be sent to Supreme Court per Rule 12 (4) Supreme Court.				
	Oct 24	1966	See Order of Steel J.				
E	Nov 4	1966	Exit Record to office of U.S. Attorney for transmittal by p/ly to U.S. Supreme Court				
213	Feb 15	1967	Certified Copy of Order, Supreme Court of U.S., February 13, 1967, noting probable jurisdiction				
214	Jan 9	1968	" " Judgment " " " " December 11, 1967, that the judgment of the U.S. District Court is, and the same is hereby, affirmed by an equally divided Court.				

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UNITED STATES DISTRICT COURT

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DATE	FILINGS-PROCEEDINGS	No. of Words	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
			PLAINTIFF	DEFENDANT	
MONTH	DAY	YEAR			
165 Mar 15	1965	Answers of deft Pennsalt to plffs Interrogatories on Remand	amounts brought forward,		
166 Mar 15	1965	Answers " " Penn-Olin " " " "			
167 Mar 22	1965	Pretrial Order # 2 after Remand (Steel J)			
168 Mar 29	1965	Plff's motion for production directed to Pennsalt.			
169 Mar 31	1965	Answers of deft Olin Mathieson to plffs Interrogatories on Remand - Set II			
170 Apr 6	1965	Memo in support of Motion for production of documents. (dated Mar 25, 1965)			
171 Apr 8	1965	Writs memo in opposition to Plff Motion for Production of Documents, dated 3/24/65			
172 Apr 8	1965	Hearing (Steel J.) re Plffs Motion for production of documents. Documents turned over to Court reporter, to be identified, sealed and kept of Court of Recd.			
173 Apr 22	1965	Transcription of reporter of April 8, 1965.			
173 Apr 20	1965	Notes of reporter for April 8, 1965			
174 Apr 21	1965	Sealed Envelope containing Pennsalt documents PS-1 to PS-4 and Olin Mathieson documents OM-1 to OM-19 incl. ^{inclusive}			
175 Apr 22	1965	Deposition of deft Olin Mathieson Chem Corp. by John Legary, taken & M.H. etc.			
176 Apr 22	1965	Affidavit of H. Francis De Loo. counsel for Deft. Pennsalt Chem Corp			
177 Apr 27	1965	Deposition of William P. Drake			
178 Apr 27	1965	Trial to the Court (Steel J.) April 27-28-29-30-May 3-4-5, 1965.			
179 Apr 27	1965	Stipulation by & betw/ Plffs & Defs re certain documents being produced in trial.			
179 Apr 27	1965	Supplemental answers of Olin to Plffs interrogatories on remand. (see Pretrial Order #2 after remand)			
180 Apr 28	1965	Transcript of Pretrial Conference Feb. 18, 1965			
181 May 6	1965	Reporters shorthand and stenotype notes of April 26 to May 5, 1965 inclusive. Transcripts to be filed later			
182 May 11	1965	Affidavit of John Brown Eng.			
183 May 13	1965	Transcribed notes of 4-26-65 Vol. I pgs 1 to 401			
184 May 13	1965	" " " " 4-29-65 Vol. II pgs. 402 to 688			
185 May 13	1965	" " " " 5-3-65 Vol. III pgs. 689 to 960			
186 May 13	1965	" " " " of testimony impeached by order of Judge Steel.			
187 May 25	1965	Stipulation betw/ plffs & defts re capacity, means etc.			
188 May 29	1965	Post-Trial (concurrent) brief of us.			
189 May 27	1965	Findings of fact & conclusions of law prepared by us.			
190 May 27	1965	Certificate of service by us on Counsel of Deft of fact & conclusions of law.			
191 June 17	1965	Brief for defts on remand (orig + 2 copies)			
192 June 17	1965	Plffs proposed 9 of 9, Collier's comments on M.H. proposed findings on remand (orig + 1 copy)			
193 June 17	1965	Sealed Envelope entitled defts proposed findings on matters "in camera" (not to be opened)			
194 July 7	1965	Reply brief of U.S. on remand			
195 July 7	1965	Government's comments on defts proposed findings and conclusions			
196 July 7	1965	Certificate of service of papers 194 and 195.			
197 July 7	1965	Oral argument, Steel J. after trial.			
198 Aug 3	1965	Transcript of Oral Argument 7-7-65			
198A Aug 3	1965	Reporters notes " " " "			
198B Aug 3	1965	" " " " " "			
199 Oct 18	1965	Opinion, Steel J., following remand.			
200 Oct 26	1965	Order, Steel J., re corrections to Opinion filed Oct 12 1965			
201 Nov 2	1965	" " " " " "			
202 Nov 2	1965	" " " " " " Entering judgment in favor of each deft. - against Plff - complaint dismissed			
203 Jan 3	1966	Notice of appeal by plffs to Supreme Court of U.S. with proof service.			
204 Feb 28	1966	Motion of appellant with consent of appellees for extension of time for docketing case on appeal to Supreme Court of U.S.			
205 Feb 28	1966	Affidavit of service of motion of appellant " " " " " "			
206 Feb 28	1966	Order Steel J. that time be extended to May 24, 1966, for " " " " " "			

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