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~~JOHN C. BOWEN~~

GEORGE H. BOLDT

INDEXED

DOCKET

DOCKET **2277**

TITLE OF CASE

The United States of America

ATTORNEYS

vs.
Northern Pacific Railway
Company and
Northwestern Improvement
Company.

For Plaintiff:

John Clark
Charles Whittier
Edward M. Tenney
John H. Bates
Baruch F. McLaughlin
(anti-trust div. Dept. of
Justice)
Margaret Cross

For Defendant:

Dion H. Coakman
Harold G. Boggs
M. L. Countryman

Basis of Action *Sherman Act.*

M. L. Countryman
N. P. Ry
176 E. 5th St
St Paul Minn.

Jury Trial Claimed by

On . 19

DATE			PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE			DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
MONTH	DAY	YEAR				MONTH	DAY	YEAR			
						Oct	23	1956	Harold G. Boggs, Appraiser	5.00	
						"	"	"	Dep. to U.S. Dist Ct		

ABSTRACT OF COSTS

To Whom Due

AMOUNT

RECEIPTS, REMARKS, ETC.

UNITED STATES DISTRICT COURT

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2277

J. G. BOWEN

DATE			FILINGS—PROCEEDINGS	No. of Words	CLERK'S FEES	AMOUNT REPORTED BY EXHIBIT RETURN
MONTH	DAY	YEAR			PLAINTIFF DEPENDANT	
MAY	26	1949	Filed Complaint 1 Praecipe ✓			
JUN	9	1949	Filed MARSHAL'S RETURN ON SUMMONS 3 Issued summons			
JUN	13	1949	Filed Stipulation For Additional Time to Answer (7-15-49) 4			
JUN	13	1949	" Order Extending Time to July 15, 1949 5			
JUL	14	1949	" Stipulation For Additional Time. 6			
JUL	14	1949	" Order Extending Time 7 To 9-15-49 to Answer, etc			
SEP	12	1949	" Stipulation 8 & Order extending time to 10/15/49 by answer 9			
OCT	3	1949	Filed Motion of Defts. For Order Extending Time to Answer together with notice of Motion for Oct. 10, 1949 at 10am. 10			
OCT	10	1949	Filed Order Extending Time to answer or plead to 11-22-49. 11			
OCT	24	1949	Interrogatories propounded by plaintiff etc. 12			
"	"	"	" Motion for production of documents under Rule 34 13			
OCT	26	1949	" Receipt of Harold G. Boggs briefs etc for 10 copies of above Interrog. & Motion 14			
NOV	3	1949	" Defts. Objections to Interrog. propounded by Pff. 15 dated for 11/14/49			
NOV	7	1949	" Notice of Hearing Mo. for prod. of documents 11-14-49 at 10 am 16			
NOV	8	1949	Filed Affidavit of Dean J. Feilman 17			
NOV	12	1949	" " Hugh McLeod 18			
NOV	12	1949	" " J. P. Chwartz 19			
NOV	14	1949	Defts. Objections to Interrogatories & Pffs. Mo. to produce cont'd to 11-19-49 at 10 am			
NOV	19	1949	Defts. Objections to Interrogatories cont'd to 11-21-49 at 2:00 pm. 19A - Affidavit relating to motion, 19B			
NOV	19	1949	Carroll Mo. of Dean H. Eastman, M.D. Cunningham Jr. is admitted to practice before this court in all matters pertaining to this case only			
"	27	"	Filed Answer of Defts. N.P. Ry Co and Northwestern Improvement Co. 20			
"	21	"	Ent. Order granting Motion Pff for Production under Rule 34 - Defts. Objections to Interrog. sustained as to all Interrog. except 8 & 9. - Docket Order Mon. 11/28/49			
"	"	"	Filed Brief in Support of Defts. Obj. to Pffs. Interrog. 21, aff. of J. D. Moore 22			
"	"	"	" Suppl. Memo in Support of Pffs. Interrog. 23			
"	"	"	" Argument in opposition to Pffs. Mo. to Produce Documents, Rule 34. 24			
NOV	28	1949	" Order on Defts. Obj. to Interrog. 25			
DEC	9	1949	" Court Reporter Transcript of Court Decision on Defts. Obj. to Interrogatories 26			
DEC	14	1949	Filed Mo. of Pff for amendment to the Order of this Court entered 11-28-49 27			
DEC	14	1949	Filed affidavit in support of mo. for amendment to above mentioned order 28			
Dec	15	1949	Filed affidavit of Alenham W. Kilton 29			
Dec	15	1949	Filed affidavit of Montrose Garnett 30			
"	"	"	" " Harold G. Boggs 31			
"	"	"	Presentation of Order on the above motion set for 9:30 AM 12-19-49			
DEC	19	1949	Filed Order for Amendment to the Order of this Court entered 11-28-49 32			
DEC	20	1949	Filed Answers to Interrogatories numbered 8 and 9 propounded by Plaintiff 33			
MAY	2	1950	Ent. Order for Assignment MAY 22 1950			
May	15	1950	Filed Stipulation of counsel re leases of RR Co + Northmont Imp. Co. 34			
MAY	22	1950	Ent. Order for Assignment JUN 19 1950			
JUN	19	1950	Ent. Order for Assignment JUL 24 1950			
JUL	24	1950	Ent. Order for Assignment Aug 28/50			
SEP	11	1950	Ent. Order for Assignment Oct 2, 1950			
OCT	2	1950	Ent. Order for Assignment 11-7-50			
NOV	7	1950	Ent. Order for Assignment Passing Over Term			
MAY	1	1951	Ent. Order for Assignment MAY 21 1951 Passing Over Term			
AUG	10	1951	Filed Interrogatories propounded by Pff. to be answered by Defts. Northern Pacific R.R. Co. & Northwestern Improvement Co. 35			
AUG	10	1951	Filed Request for Admissions Under Rule 36 36 + Affidavits thereto 37			

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UNITED STATES DISTRICT COURT

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United States

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DATE			FILINGS—PROCEEDINGS	No. of Words	CLERK'S FEES		AMOUNT REPORTED IN ASSIGNMENT RETURNS
MONTH	DAY	YEAR			PLAINTIFF	DEFENDANT	
AUG 20	1951		Filed Stipulation giving defts' 60 days from August 10, 1951 to answer interrogatories 38				Amounts brought forward,
AUG 20	1951		" Order granting 60 days from 8/10/51 for defts to answer Duff's interrogatories 39				
SEP 7	1951		" Stipulation giving defts' 60 days from August 10 to serve written objections to interrogatories 40				
SEP 7	1951		Filed Indef giving defts' 60 days from 8/10/51 to serve written objections to interrogatories 41				
OCT 5	1951		" Stipulation re oral depositions of John M. Hughes 42				
OCT 5	1951		" Stipulation re Interrogatories & request for admissions 43				
OCT 5	1951		" Order re Interrogatories and Request for Admissions 44				
OCT 22	1951		" Deposition of John M. Hughes on behalf of defts. 45				
OCT 30	1951		" Stipulation re objections to written interrogatories 46				
"	"	"	" Ent. Order re objections to Interrogatories 47				
NOV 6	1951		Ent. Order for Assignment DEC 17 1951				
"	29	"	Filed Stipulation 48				
"	30	"	" Order giving defts until Jan. 1, 1952 to file written objections to interrogatories 49				
DEC 17	1951		Ent. Order for Assignment FEB 25 1952				
"	28	"	Filed Stipulation 50 & Order granting defts. to 2/11/52 for obj. to Interrog. 51				
"	"	"	Ent. above order in Civil Decret.				
JAN 14	1952		Filed defts' response to Duff's request for admissions under rule 36 52				
"	31	"	" Stip. 53 & Order granting defts. to 3/1/52 for obj. to Interrog. 54				
FEB 25	1952		Ent. Order for Assignment MAY 6 - 1952				
FEB 27	1952		Filed Stipulation 55 & Order extending time to defts. to serve written objections to interrogatories. April 1, 1952 56				
APR 2	1952		Filed Stipulation 57 and Order extending time to defts. to serve written objections to interrogatories on 15 days after notice by Duff. 58				
MAY 6	1952		Ent. Order for Assignment 6/2/52 at 10 a. m.				
JUN 2	1952		Ent. Order for Assignment " 7/14/52				
Jul 14	"		Filed over the term at the request of Mr. Boyce				
AUG 2	1952		Filed Deposition of A. G. McLean on behalf of Deft. 59				
AUG 27	1952		" Deposition of Carl R. Ebern on behalf of Deft. 60				
"	"	"	" Deposition of E. E. Simons on behalf of Deft. 61				
"	"	"	" Deposition of Theodore Klugman on behalf of Deft. 62				
"	"	"	" Deposition of Oscar K. Jorlie on behalf of Deft. 63				
AUG 28	1952		Filed Deposition of Everett M. Baker on behalf of Deft. 64				
"	"	"	" Deposition of Mrs. Schmale on behalf of Deft. 65				
"	"	"	" Deposition of Lynn Ralph Fineman on behalf of Deft. 66				
"	"	"	" Deposition of William C. Magelsson on behalf of Deft. 67				
"	"	"	" Deposition of William C. Magelsson on behalf of Defendant 68				
SEP 2	1952		Filed Deposition of M. L. Bogelle on behalf of Deft. 69				
"	"	"	" Deposition of Virgil O. McWhatters on behalf of Deft. 70				
"	"	"	" Deposition of Armand D. Olson on behalf of Deft. 71				
"	"	"	" Deposition of B. L. Rutter on behalf of Deft. 72				
"	"	"	" Deposition of Russell Brown on behalf of Deft. 73				
"	"	"	" Deposition of Ralph E. Strand on behalf of Deft. 74				
"	"	"	" Deposition of Alex. Dunnett on behalf of Deft. 75				
"	"	"	" Deposition of Winston E. Brady on behalf of Deft. 76				
"	"	"	" Deposition of Walter M. Kohagen on behalf of Deft. 77				
SEP 9	1952		Filed Deposition of W. L. Taylor on behalf of Deft. 78				
"	"	"	" Deposition of Wallace Bird on behalf of Deft. 79				

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FILINGS-PROCEEDINGS

No. of Words	CLERK'S FEES		AMOUNT REPORTED IN EMPLOYMENT RETURNS
	PLAINTIFF	DEFENDANT	

DATE			FILINGS-PROCEEDINGS	No. of Words	CLERK'S FEES	AMOUNT REPORTED IN EMPLOYMENT RETURNS
MONTH	DAY	YEAR				
SEP 8	-	1952	Filed Deposition of J. J. Peterson on behalf of the Defendant's			
"	10	"	Deposition of James H. Woodworth, on behalf of Defts.		79	80
SEP 13	1952		Filed Deposition of Harper C. Chamberling, 81 on behalf of Deft.		81	82
"	"	"	Deposition of E. H. Braden, on behalf of Deft.		82	83
"	"	"	Deposition of Clarence H. Johnson, on behalf of Deft.		83	84
"	"	"	Deposition of Darwin F. Lange, on behalf of Deft.		84	85
"	"	"	Deposition of Carl E. Fox, on behalf of Deft.		85	86
"	"	"	Deposition of Helmer Anderson, on behalf of Deft.		86	87
SEP 15	1952		Filed Deposition of Oscar A. Amundson on behalf of Defts.		87	88
"	"	"	Deposition of Palmer G. Nelson on behalf of Defts.		88	89
"	"	"	Deposition of John T. Olson on behalf of Defts.		89	90
"	"	"	Deposition of Robert C. Eddy on behalf of Defts.		90	91
SEP 17	1952		Deposition of: Wallace Elmer (92), Warren Hudson (93), Susan Haughian (94), H.E. Husband (95), J.R. Kelley (96), George Davidson (97), Miller Simpson (98), William C. Babin (99), Charles Allen Mellett (100), Henry Berg (101), A.W. Bradshaw (102), George Nilsen (103), Kenneth M. Brown (104).		91	
SEP 19	1952		Filed Deposition of Thomas A. Donlin 105 Herbert W. Landwehr 106 on behalf of Defts.		105	106
SEP 22	1952		Filed Deposition of Roy Lundmark 107 R.L. Giles 108 H. A. Krebs 109 G. J. Flynn 110 on behalf of Defts.		107	109
SEP 29	1952		Filed Depositions of E. A. Braden 111 E. A. Bastron 112 L. A. Brown 113 & Carl Isaacson 114 on behalf of Defts.		111	112
"	"	"	Filed Depositions of Peter Paruly 115 - C.C. Farlington 116 Howard Baser 117 William Steinbrenner, Jr. 118 & William S. Temper. 119		115	119
Oct. 2	1952		Filed Deposition of Berner & Felder. 120		120	
OCT 7	1952		Filed Depositions on behalf of Defendant of Ralph Miracle 121 Edwin G. Phillips 122 Willard J. Anderson 123 Roy C. Murray, Jr. 124 Everett E. Huey 125 Frank Carey 126 C.M. Wall 127 & William Denike 128		121	125
NOV 4	1952		Ent. Order for Assignment DEC 8 - 1952			
NOV 21	1952		Filed Stipulation Re Sources of Fact Information & Related Matters. 129		129	
"	"	"	Stipulation Re advance Notice as to Documentary Evidence 130		130	
"	"	"	Order Approving above Stipulations. 131		131	
JAN 8	1953		Deft's Supplemental Response to Opp's Request for Admissions Under 36. 132		132	
MAR 2	1953		Ent. Order for Assignment 3/30/53 at 10 a.m.			
MAR 30	1953		Ent. Order for Assignment MAY 5 - 1953			
May 5	"	"	Ent. Order for Assignment June 29, 1953			
June 29	1953		Ent. order for assignment Aug. 10, 1953 at 10 a.m.			
July 31	1953		Filed Opp's Motion for summary judgment.			
Aug 17	"	"	Ent. order for assignment Sept. 28, 1953 10 a.m.			133
Sept. 28	"	"	Ent. order for assignment Nov. 3, 1953 10 a.m.			
Nov. 3	"	"	" " " " Nov. 30, 1953			
"	30	"	" " " " " March 1, 1954			
1954						
Mar. 1			Ent. order for assignment March 29, 1954 10 a.m.			
Mar. 29			Ent. order for assignment May 4, 1954 10 a.m.			
May 4			" " " " May 28, 1954			

UNITED STATES DISTRICT COURT
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DATE	FILINGS - PROCEEDINGS	No. of Words	CLERK'S FEES		AMOUNT REPORTED IN EMPLOYMENT RETURNS
			PLAINTIFF	DEFENDANT	
Aug 24, 1956	Filed defendant's proposed partial final judgment	Amounts brought forward,			
Aug 30 "	Filed defendant's brief on motion for argument and reconsideration				
Aug 31, 1956	Hearing held on motion of defendant for argument & reconsideration. Motion denied.				152
"	Hearing held on proposed findings of fact & conclusions of law.				
"	Filed findings of fact & conclusions of law.				153
Sept 6 "	Filed and entered partial final judgment				154
	Filed stay of judgment - operation of said partial final judgment to be stayed for a period of 60 days after August 31, 1956 and subsequently for the pendency of any appeal from said judgment to the Supreme Court of the U.S., if an appeal is taken within said period of 60 days from August 31, 1956.				155
Sept 6 "	Entered above stay of judgment in Civil Docket				
" 22 "	Filed copy of transcript of court's oral decision.				156
Oct 23, 1956	Filed Defendant's Notice of appeal to Supreme Court				157
Oct 31, 1956	Filed Reporter's Transcript of decision on motion for reconsideration.				158
Nov 13, 1956	Filed Appearance of Margaret H. Cross, atty. Dept. of Justice, Intellectual Division, N.M. 25, D.C. as Counsel for U.S.				159
" " "	Filed Cross - Designation of Record to be Certified				160
" 21 "	" + Ent. Order Fixing Bond on appeal (\$1000.00. Supersedeas.)				161
" " "	" Motion deftd. to transmit original records to Clerk, U.S. Supreme Court.				162
" " "	" + Ent. Order " " " " " " " " " " " " " " " "				163
" " "	" Supersedeas Bond on appeal \$1,000. - St Paul Merc. Ind. Co.				164
Dec 6 "	Mailed Record on appeal to Clerk, U.S. Supreme Court.				
" 17 "	" Suppl. " " " " " " " " " " " " " " " "				
April 28 1958	Filed and entered Judgment of Supreme Court affirming and remanding cause to Dist Court.				165
" 29 "	Mailed notice of entry of judgment to counsel				
July 2 1958	Clerk advised Judicial Conference held in chambers -				166
Dec 11 1958	Filed deftd. Motion for order operating supersedeas bond.				167
" " "	" + Ent. Order discharging defendant's liability from all liability on supersedeas bond.				
Jan 28 1959	Filed Consent Judgment enjoining defendant from entering into Industrial leases containing traffic clauses. Proof of service of cancellation of such clauses in existing leases to be filed within 60 days -				168
Jan 29 1959	Entered above judgment in Civil Docket.				
3-4-60	All files received from Clerk, U.S. Supreme Court.				