

CIVIL DOCKET 119-24
 UNITED STATES DISTRICT COURT

12-16-58 Civil No's: 119-284, 119-285; 119-286;
 119-287 and 119-288 consolidated for trial & pre-
 trial only.

119-24

Jury demand date:

D. C. Form No. 106 Rev.

FPI ATLANTA-12-16-55-20M-377

TITLE OF CASE	ATTORNEYS
UNITED STATES OF AMERICA	For plaintiff: US Attorney
-VS-	
LOEW'S, INCORPORATED	For defendant: Benjamin Melniker 1540 Broadway, NYC Phillips Nizer Benjamin Balkin Krim & Ballon 1501 Broadway NY 36

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	4-27-61 4-3-61	P. NIZER P. NIZER	5	5
J.S. 6 mailed ✓	Marshal	4-7-61	Paid U.S. T. 1000		5
Basis of Action: Anti-Trust	Docket fee Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Entered
1957 Mar. 27-57	Filed complaint and issued summons.	
Apr. 3-57	Filed summons & return. Served deft 4-1-57.	
Apr. 15-57	Filed affdvt. & Notice of Motion to produce, etc. Ret. 4-25-57	
Apr. 19-57	" stip. adjourning motion for production sine die.	x
Apr. 22	Filed Stip. and Order extending time of deft. to answer to 6-1-57 Sugarman, J.	
Apr. 29	Filed Stip. and Order that deft. will produce for inspection documents indicated.	
May 29-57	Palmieri, J. Filed Stip extending time of deft to answer to 6-18-57.	
June 18	Filed ANSWER of deft.	
Sept. 10-57	Filed Order granting motion that deft A.F. Klaveness & Co. A/S produce as indicated within 30 days after service of order with notice of entry, etc. Bryan, J. Mailed notice of entry 9-11-57 error See Civil 119-28	
June 18-58	Filed Pltf's request for admissions with copies of documents numbered 1 through 53.	
June 26-58	Filed Affdvt & Notice of motion for request for admission. Ret. 7-3-58.	PNB&K
July 3-58	Memo End. on Motion filed 6-26-58: Motion granted. So ordered. Dawson, J. Mailed notice of entry 7-7-58	
July 14-58	Filed deft's interrogatories	
July 24-58	Filed Affdvt & Notice of motion of objections to interrogs. Ret. 8-19-58.	X
Aug. 4-58	Filed pltf's interrogatories	
Aug. 14-58	Filed Deft's response to request for admissions.	PNB&K
Aug. 14-58	Filed Affdvt & Notice of motion of objections to interrogs. Ret. 9-2-58.	" "
Aug. 14-58	Filed Affdvt & Notice of motion of objections to request for admissions. Ret. 9-2-58.	PNB&K
Aug. 15-58	Filed Stip. and Order extending deft's time to answer interrogs to 9-4-58 Bryan, J.	
Aug. 15-58	Filed order that Pltf's motion re: objections to interrogs is adjourned to 9-2-58. Bryan, J. Mailed notice of entry 8-19-58.	
Aug. 26-58	Filed pltf's answers to deft's interrogs.	
Sept. 3-58	Filed Order assigning action to Judge Dawson for all purposes, including trial. etc. All motions to be made returnable before Judge Dawson, etc. Clancy, J. Mailed notice of entry 9-4-58	
Sept. 5-58	Filed Deft's answer to certain interrogs.	x
Sept. 29-58	Before Dawson, J. Pre-Trial hearing held. Order to be entered.	
Oct. 1-58	Filed transcript of proceedings of Sept. 4, 29, 1958.	
Oct. 6-58	Memo endorsed on motion filed 8-14-58. Objections withdrawn as indicated. (see order) Request shall be answered by 12/1/58. So ordered. Dawson, J. Mailed notice of entry 10-8-58.	
Oct. 6-58	Memo endorsed on motion filed 7-24-58. Objections overruled. Interrogs shall be answered on or before 12/15/58. Dawson, J. Mailed notice of entry 10-8-58.	
Oct. 6-58	Memo endorsed on motion filed 8-14-58. Objections to interrog 10 sustained. All other interrogs allowed etc. (see memo) Dawson, J. Mailed notice of entry 10-8-58. Dawson, J.	
Oct. 7-58	Filed Deft's interr affidavit in opposition to objections to interrogs.	PNB&K
Oct. 7-58	Filed Deft's withdrawal of certain objections to requests for admissions.	PNB&K
Oct. 7-58	Filed Affdvt & Notice of motion to consolidate with 5 other actions. Ret. 10-21-58.	X
Oct. 30-58	Filed order that issues of fact for trial are limited to issues set forth in statement, etc. Dawson, J. Mailed notice of entry 10-31-58.	
Dec. 1-58	Filed Further Response to Request for Admissions	
Dec. 16-58	Filed Pltf's supplemental answers to deft's interrogs.	PNB&K
Dec. 16-58	Memo endorsed on motion to consolidate filed 10-7-58. Civil Actions 119-284; 119-285; 119-286; 119-287 and 119-288 consolidated with this action for pre-trial & trial purposes only, etc. (see memo) So ordered. Dawson, J. Mailed notice of entry 12-18-58.	
Dec. 31-58	Filed order that defts's answers to interrogs be impounded. Order consented to. Dawson, J. (answers placed in vault - room 602)	
Dec. 31-58	Filed deft. Loew's Inc.'s answers to interrogs.	PNB&K

(continued page 3)

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Apr. 15-57	Filed affdvt. & Notice of Motion to produce, etc. Ret. 4-25-57	
Apr. 19-57	" stip. adjourning motion for production sine die.	X
Apr. 22	Filed Stip. and Order extending time of deft. to answer to 6-1-57 Sugarman, J.	
Apr. 29	Filed Stip. and Order that deft. will produce for inspection documents indicated.	
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June 18	Filed ANSWER of deft.	
Sept. 10-57	Filed Order granting motion that deft A.F. Klaveness & Co. A/S produce as indicated within 30 days after service of order with notice of entry, etc.	
	Bryan, J. Mailed notice of entry 9-11-57 error See Civil 119-28	
June 18-58	Filed Pltf's request for admissions with copies of documents numbered 1 through 53.	
June 26-58	Filed Affdvt & Notice of motion for request for admission. Ret. 7-3-58.	PNB&B
July 3-58	Memo End. on Motion filed 6-26-58: Motion granted. So ordered. Dawson, J. Mailed notice of entry 7-7-58	
July 14-58	Filed deft's interrogatories	
July 24-58	Filed Affdvt & Notice of motion of objections to interrogs. Ret. 8-19-58.	X
Aug. 4-58	Filed pltf's interrogatories	
Aug. 14-58	Filed Deft's response to request for admissions.	PNB&K
Aug. 14-58	Filed Affdvt & Notice of motion of objections to interrogs. Ret. 9-2-58.	" "
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Aug. 15-58	Filed Stip. and Order extending deft's time to answer interrogs to 9-4-58 Bryan, J.	
Aug. 15-58	Filed order that Pltf's motion re: objections to interrogs is adjourned to 9-2-58. Bryan, J. Mailed notice of entry 8-19-58.	
Aug. 26-58	Filed pltf's answers to deft's interrogs.	
Sept. 3-58	Filed Order assigning action to Judge Dawson for all purposes, including trial. etc. All motions to be made returnable before Judge Dawson, etc. Clancy, J.	
	Mailed notice of entry 9-4-58	
Sept. 5-58	Filed Deft's answer to certain interrogs.	X
Sept. 29-58	Before Dawson, J. Pre-Trial hearing held. Order to be entered.	
Oct. 1-58	Filed transcript of proceedings of Sept. 4, 29, 1958.	
Oct. 6-58	Memo endorsed on motion filed 8-14-58. Objections withdrawn as indicated. (see order) Request shall be answered by 12/1/58. So ordered. Dawson, J. Mailed notice of entry 10-8-58.	
Oct. 6-58	Memo endorsed on motion filed 7-24-58. Objections overruled. Interrogs shall be answered on or before 12/15/58. Dawson, J. Mailed notice of entry 10-8-58.	
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Oct. 7-58	Filed Deft's interr affidavit in opposition to objections to interrogs.	PNB&K
Oct. 7-58	Filed Deft's withdrawal of certain objections to requests for admissions.	PNB&K
Oct. 7-58	Filed Affdvt & Notice of motion to consolidate with 5 other actions. Ret. 10-21-58.	X
Oct. 30-58	Filed order that issues of fact for trial are limited to issues set forth in statement, etc. Dawson, J. Mailed notice of entry 10-31-58.	
Dec. 1-58	Filed Further Response to Request for Admissions	
Dec. 16-58	Filed Pltf's supplemental answers to deft's interrogs.	PNB&K
Dec. 16-58	Memo endorsed on motion to consolidate filed 10-7-58. Civil Actions 119-284; 119-285; 119-286; 119-287 and 119-288 consolidated with this action for pre-trial & trial purposes only, etc. (see memo) So ordered. Dawson, J. Mailed notice of entry 12-18-58.	
Dec. 31-58	Filed order that defts's answers to interrogs be impounded. Order consented to. Dawson, J. (answers placed in vault - room 602)	
Dec. 31-58	Filed deft. Loew's Inc.'s answers to interrogs.	PNB&B

(continued page 3)

DATE	FILINGS—PROCEEDINGS	ATTORNEY	
		PLTF.	D
Jan. 12-59	Filed Affidvt & Notice of motion to strike Loew's responses to Pltf's request for admissions, etc. Ret. before Dawson, J. in chambers 1-15-59.	x	
Jan. 14-59	Filed Affidvt & Notice of motion of objections to interrogs of defts C&C Super Corp. Ret. before Dawson, J. in Chambers on 1-15-59.	x	
Jan. 23-59	Memo endorsed on motion filed 1-12-59. Argument held. Briefs and Papers considered. Motion denied. So ordered. Dawson, J. Mailed notice of entry 1-26-59.		
Feb. 16-59	Filed Opinion No. 24,874 - Certain interrogs will have to be stricken, etc. Submit order within 10 days etc. Dawson, J.		
Mar. 12-59	Memo End. on exceptions to interrogs filed 3-2-59: error see Civ. 121-24		
Mar. 16-59	Filed pltf's answers to Nat'l Telefilm Assoc. interrogs.		
Mar. 16-59	" " " " United Artists Corp. interrogs.		
Mar. 16-59	" " " " Associated Artists Corp. interrogs.		
Mar. 16-59	" " " " C&C Super Corp. interrogs.		
Mar. 16-59	" " " " Screen Gems interrogs.		
Mar. 30-59	Filed order striking interrogs as indicated. Dawson, J. Mailed notice of entry 3-31-59.		
May 4-59	Filed ANSWERS of deft United Artists Corp. to pltf's request for admissions		
May 26-59	Filed notice of motion Re: Limiting factual & legal issues etc. Ret. 6-9-59 before Room 2102 at 10:30. etc.	USA	U
May 26-59	Filed Govt's memorandum of law in support of motion.		
May 26-59	Filed Affidvt of Govt. in support of motion.		
May 26-59	Filed Memo of Law sur per se unreasonableness of block-booking.	USA	
June 9-59	Memo End. on Motion for Pretrial Order filed 5-26-59: Pretrial Order #2 -- Part of motion denied, etc. So ordered. Dawson, J. (see memo) Mailed notice of entry 6-11-59		
JUN 9 1959	Pre-trial before Dawson, J. (Consid. for pre-trial & trial only with CIV. 119-284, CIV. 119-285, CIV. 119-286, CIV. 119-287 + CIV. 119-288)		
June 22-59	Filed transcript of record of proceedings of June 9, 1959.		
July 17-59	Filed Stip & Order Re: Production of document by deft. United Artists Corp. Dawson, J.		
July 17-59	Filed Stip & Order Re: Production of document by deft. Loew's Inc. Dawson, J.		
Oct. 1-59	Filed Pretrial Order No. 3 - that issues of fact and of law for trial are limited to issues in statement etc. Dawson, J. Mailed notice of entry 10-2-59		

DATE	FILINGS—PROCEEDINGS	ATTORNEYS	
		PLTF.	DEFT.
Oct.2-59	Filed transcript of record of proceedings of Sept.15, 1959.		
Oct.28-59	Filed order that subpoena duces tecum issue for each persons and corporations of whom resides outside of district etc. Dawson, J. Mailed notice of entry 10-29-59.		
NOV 2 - 1959	Pre-trial before Dawson, J.		
NOV 8 1959	Pre-trial before Dawson, J.		
Nov.16-59	Filed order that subpoena duces tecum issue for persons named in order; each person to appear on 1-4-60 in this Court etc. (see order) Dawson, J. Mailed notice of entry 11-17-59.		x
Nov.18-59	Filed transcript of record of proceedings of Nov. 2, 1959		
Nov.23-59	Filed order that subpoena duces tecum issue for Caster-Robinson TV Corp & Cimarron TV Corp. Dawson, J. Mailed notice of entry 11-24-59.		
DEC 1 1959	Pre-trial before Dawson, J.		
Dec.16-59	Filed Pre-Trial order No. 4. Dawson, J.		
Dec.16-59	Filed order that subpoena duces tecum issue for persons named in order, etc. (see order) Dawson, J. Mailed notice of entry 12-17-59.		
Dec.31-59	Filed transcript of record of proceedings of Dec. 11, 1959.		
Jan.4-60	Filed notice of motion to grant separate trial with memo endorsed on reverse dated 12/31/59. Motion denied as indicated (see memo) Dawson, J. Mailed notice of entry 1-5-60.		
Jan.29-60	Filed Stip & Order that no objection shall be raised to admissibility of document on ground it is a photostat, etc.		
Feb.10-60	Filed transcript of record of proceedings of 2-5-60		
Feb.15-60	Filed order that subpoenas duces tecum prayed for issue (see order) Dawson, J. Mailed notice of entry 2-16-60.		
Feb.19-60	Filed order that subpoenas duces tecum re: Stanley Dudelson et al issue. Dawson, J. Mailed notice of entry 2-23-60.		
Feb.26-60	Filed order that subpoena duces tecum issue Re: Amarillo Broadcasting Co. Inc. et al. Ryan, J. Mailed notice of entry 2-29-60.		
Feb.29-60	Filed order that subpoena duces tecum re: Wm. C. Dempsey issue. McGohey, J. Mailed notice of entry 3-1-60.		
Mar.8-60	Filed order to show cause to quash subpoena with memo endorsed on reverse dated 3-8-60. Subpoena is unreasonable & oppressive & directs it be vacated, etc. (See memo) So ordered. Dawson, J. Mailed notice of entry 3-9-60.		
Mar.8-60	Filed order to show cause to quash subpoena with memo endorsed on reverse dated 3-8-60. Subpoena is vacated (see memo) So ordered. Dawson, J. Mailed notice of entry 3-9-60.		

DATE	FILINGS—PROCEEDINGS	ATTORNE	
		PLTF.	DE
Mar.7-60	Before Dawson, J. Trial Begun (non-Jury)		
Mar. 8 -60	Trial continued		
Mar. 9-60	Trial continued		
Mar.10-60	Trial continued		
Mar. 11-60	Trial continued		
Mar.14-60	Trial continued		
Mar.15-60	Trial continued		
Mar.16-60	Trial continued		
Mar. 17-60	Trial continued		
Mar.21-60	" "		
Mar.22-60	" "		
Mar.23-60	" "		
Mar.24-60	" "		
Mar.28-60	" "		
Mar.29-60	" "		
Apr.26-60	Filed Application for order for issuance of subpoenas as indicated.		
Apr.26-60	Filed order that trial subpoenas ad testificandum re: F.E. Bushby et al issue. Dawson, J. Mailed notice of entry 4-27-60.		
Apr.27-60	Filed order that subpoena duces tecum issue for Oklahom TV Corp etc. Dawson, J. Mailednotice of entry 4-28-60.		
Apr.27-60	Filed Application for order for issuance of sub ^{poenas} Re: David Baltimore et ano.		
Apr.27-60	Filed order that subpoena issue Re: David Baltimore et ano. Dawson,J. Mailed notice of entry 4-28-60.		
Apr 1-60	Before Dawson, J. Trial continued - from Mar. 31, 1960		
Apr 4-60	" "		
Apr 5-60	" "		
Apr 6 -60	" "		
Apr 7-60	" "		
Apr 8-60	" "		
Apr 11-60	" "		
Apr 18-60	" "		
Apr 19-60	" "		
Apr 20-60	" "		
Apr 21-60	" "		
Apr 22-60	" "		
Apr 25-60	" "		

DATE	FILINGS—PROCEEDINGS	ATTORNEYS	
		PLTF.	DEFT.
Apr 26-60	Trial continued		
Apr 27-60	" "		
Apr 28-60	" "		
Apr 29-60	" "		
May 2-60	" "		
May 3-60	" " and concluded. Decision reserved.		
May 25-60	Filed transcript of record of proceedings of Mar. 7,8,9,10,11,14,1960.		
May 25-60	" " " " " " " " 15,16,17,21,22, 1960.		
May 25-60	" " " " " " " " 23,24,28,29,30,31,1960.		
May 25-60	" " " " " " " " Apr. 1,4,5,6,7,8, 1960.		
May 25-60	" " " " " " " " 11,18,19,20,21, 1960.		
May 25-60	" " " " " " " " 22,25,26,27, 1960.		
May 25-60	" " " " " " " " 28, 29, May 2, 3, 1960.		
Apr 20-60	Filed affidavit, exhibits and notes of motion in re deposition of [redacted]		
Dec 2-60	Filed Opinion #26476, Findings & Conclusions adjudging actions of defts to constitute violations of Sec. 1 of the Sherman Act, etc. Settle decree - Dawson, J.		
Feb.2-61	Filed unsigned final judgment		
Feb.2-61	Filed judgment granting injunction, directing submission of reports when requested and ordering deft. to pay all costs to be taxed, Dawson, J. Judgment entered 2-2-61, Clerk. mailed notice of entry		
Mar.16-61	Filed one volume of SDCR transcript of 1-26-61		
Apr. 3-61	Filed notice of appeal-Mailed copies to Phillips, Nizer, BK&B, Esqs.; Benjamin Melniker; Marvin C. Pollak; Schwartz & Frohlick; & Golenbock & Barrell.		
Apr 3-61	<i>Filed notice of appeal of Loew's Inc. from judgment 2/2/61 to Supreme Court of U. S. & affd of service by mail annexed</i>		
May 23-61	Filed consent order extending time to docket appeal to Supreme Court US to 8-22-61-Metzner, J.		
July 14-61	<i>Filed order directing transmittal of file papers or copies thereof in each of these actions to Clerk of Supreme Court of U.S. & to be returned upon conclusion of appeal. Dawson, J.</i>		
Aug. 9/61	Filed order extending for period of forty -one (41) days from 8/22/61 to 10/2/61 as time for parties to docket cases on appeal. - Herlands, J.		
Sep 27-61	Filed stip. & order extending time of all parties to docket record on appeal to Nov. 15, 1961 - Edelstein, J.		
Oct 16-61	<i>Filed stip. & order directing transmittal of record in consolidated actions as specified herein to Supreme Court of U. S. Metzner, J.</i>		
Oct 15-61	<i>Certified record on appeal to U.S. Supreme Court</i>		

