

CIVIL DOCKET
UNITED STATES DISTRICT COURT

C-180-G-63

Jury demand date:

D. C. Form No. 106 Rev.

9

TITLE OF CASE	ATTORNEYS
1. United States of America	For plaintiff:
vs.	United States Attorney
	FOR DEFENDENTS:
✓1. Container Corporation of America ✓	1. R. M. Stockton, Jr.
✓2. Albemarle Paper Manufacturing Company ✓	O.C. Hudson, Ferrell, Petree, Stocktor
✓3. Carolina Container Company ✓	Stockton & Robinson
✓4. Continental Can Company, Inc. ✓	610 Reynolds, Bldg., W/S, N. C.
✓5. Crown Zellerbach Corporation ✓	
✓6. Dixie Container Corporation of N.C. ✓	
✓7. Island Container Corporation ✓	
✓8. International Paper Company ✓	
✓9. The Mead Corporation ✓	
✓10. Miller Container Corporation ✓	
✓11. Owens-Illinois Glass Company ✓	
✓12. St. Joe Paper Company ✓	
✓13. St. Regis Paper Company ✓	
✓14. Tri-State Container Corporation ✓	
✓15. Union Bag-Camp Paper Corporation ✓	
✓16. West Virginia Pulp and Paper Company ✓	16. O.C. Hudson
✓17. Weyerhaeuser Company ✓	4. Holding, Harris, Poe & Cheshire
✓18. The Waterbury Corrugated Container Co. ✓	Box 2454, Raleigh, N. C. (TE 3971)
✓19. Dixie Container Corporation. ✓	15. McLendon, Brim, Holderness and
	Brooks, 440 W. Market St.
	Greensboro, N. C.
	12. Mr. Winfield Blackwell
	Blackwell, Blackwell, Canady &
	Eller, 15th Floor, Reynolds
	Building, Winston-Salem, N. C.
	2 & 10. Mr. Charles F. Blanchard
	(OC) Yarborough, Blanchard & Tucker
	9th Floor, N. C. National Bank
	Bldg., Raleigh, N. C.

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	35.00			
J.S. 6 mailed	Marshal				
Basis of Action:	Docket fee				
Vio. Sherman Anti-trust	Witness fees	2,026.56			
Act. Conspiracy	Fees to Ct. 3	357.45			
	Depositions				
Action arose at:	Fees Printing	270.10			
		5,689.11			

United States of America vs. Container Corporation of America, et al -- Case No. C-180-G-63

ATTORNEYS OF RECORD

Defendant:

- ✓ 1. Container Corporation of America
- ✓ 2. Albemarle Paper Manufacturing Co. - 4 10
- ✓ 3. Carolina Container Company
- ✓ 4. Continental Can Company, Inc.
- ✓ 5. Crown Zellerbach Corporation

Attorneys:

1. Ralph M. Stockton, Jr.
Hudson, Ferrell, Petree, Stockton,
Stockton and Robinson (O.C.)
610 Reynolds Building
Winston-Salem, North Carolina 27102
2. Mr. Charles F. Blanchard
Yarborough, Blanchard & Tucker (O. C.)
9th Floor, N. C. National Bank Bldg.
P. O. Box 1565
Raleigh, N. C. 27602
Chas. F. Vance, Jr.
3. W. P. Sandridge, Jr.
W. F. Womble
Womble, Carlyle, Sandridge & Rice (O. C.)
Wachovia Bank Building
Winston-Salem, N. C. 27102
4. Mr. W. C. Harris, Jr.
Holding, Harris, Poe & Cheshire (O. C.)
830 Insurance Building
P. O. Box 2454
Raleigh, N. C. 27602
- ✓ 5. Mr. Charles T. Hagan, Jr.
611 Jefferson Building
Greensboro, N. C. 27401

ATTORNEYS OF RECORD (Cont'd)

Defendant:

- ✓ 6. Dixie Container Corporation of N. C. - 119
- ✓ 7. Inland Container Corporation
- ✓ 8. International Paper Company
- ✓ 9. The Mead Corporation
- ✓ 10. Miller Container Corporation - 115
- ✓ 11. Owens-Illinois Glass Company

Attorneys:

- ✓ 6. Mr. John W. Hardy *Douglas, RAVENEL, JOSEY*
~~Southeastern Building~~ + *HARDY*
Greensboro, N. C. - *110 COMMERCE PLACE*
27401
- ✓ 7. Mr. McNeill Smith
Smith, Moore, Smith, Schell & Hunter (O.C.)
700 Jefferson Building
Greensboro, N. C. *27401*
- 8. Mr. Arthur O. Cooke
Cooke and Cooke
628 Jefferson Building
Greensboro, N. C. - *27401*
- ✓ 9. C. R. Wharton *deceased*
Richard L. Wharton
Wharton, Ivey and Wharton (O. C.)
Jefferson Standard Building
Greensboro, N. C. - *27401*
- ✓ 10. Mr. Charles F. Blanchard
Yarborough, Blanchard & Tucker (O. C.)
9th Floor, N. C. National Bank Bldg.
P. O. Box 1565
Raleigh, N. C. 27602
- ✓ 11. Welch Jordan
William D. Caffrey
500 West Gaston Street
Jordan, Wright, Henson & Nichols (O.C.)
Greensboro, N. C. - *27401*

ATTORNEYS OF RECORD (Cont'd)

Defendant:

- ✓ 12. St. Joe Paper Company
- ✓ 13. St. Regis Paper Company
- ✓ 14. Tri-State Container Corporation
- ✓ 15. Union Bag-Camp Pulp & Paper Company
- ✓ 16. West Virginia Pulp & Paper Company
- ✓ 17. Weyerhaeuser Company

Attorneys:

- 12. Mr. Winfield Blackwell
Blackwell, Blackwell, Canady & Eller (OC)
15th Floor - Reynolds Building
Winston-Salem, N. C. 27101
- 13. Mr. Norman Block
Mr. A. L. Meyland
Block, Meyland & Lloyd (O. C.)
911 Guilford Building 500 W. Winston
Greensboro, North Carolina - 27401
- 14. D. Newton Farnell, Jr.
503 Jefferson Standard Building
Greensboro, North Carolina - 27401
- ✓ 15. ~~L. P. McLendon~~ *Mr. Thornton H. Brooks,*
McLendon, Brim, Holderness & Brooks (OC)
440 West Market Street
✓ P. O. Box 569
Greensboro, N. C. - 27402
- 16. Armistead W. Sapp *for (See inside)*
~~702 Southeastern Building~~ *Sub 7-15-66*
Greensboro, N. C. *219 W. Washington St.* 27401
- 17. Fred B. Helms
Helms, Mulliss, McMillan & Johnston (OC)
800 N. C. National Bank Building
Charlotte 2, N. C. 28202

U. S. A. vs. Container Corp. of America, et al --- Case No. C-180-G-63

ATTORNEYS OF RECORD (Cont'd)

Defendant:

Dismissed 7-27-64
18. ~~The Waterbury Corrugated Container Co.~~

✓ 19. Dixie Container Corporation

Attorneys:

18. Mr. Young M. Smith
Cline Building - 260 First Ave., N. W.
P. O. Drawer 1948
Hickory, North Carolina

✓ 19. Mr. John W. Hardy *Douglas, RAYNEI,*
~~Southeastern Building~~ *DOSEY + HARDY*
Greensboro, N. C. *110 COMMERCE*
PLAZA 27401

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-14-63	Filed Complaint.	rm
10-14-63	Issued summons and delivered to Marshal for service.	rm
10-16-63	Filed Summons returned executed on 15 October 1963 by serving same on DIXIE CONTAINER CORP. by delivering copy to Mr. Herbert Mitchell at Richmond, Va. By: DUSM Bowler	bw
10-16-63	Filed Summons returned executed 15 Oct. 1963 for CONTINENTAL CAN CO. by delivering true copy to Mr. T. J. Bourne, Jr., Plant Mgr., at Richmond, Va. By: DUSM Bowler	bw
10-16-63	Filed Summons returned executed 15 Oct. 1963 for ALBEMARLE PAPER MFG. CO. by delivering true copy to Mr. Lowery, V.P. By DM Bowler	bw
10-16-63	Filed Summons returned executed on October 16, 1963 by leaving copy of summons and complaint with Gerald L. Robertson, District Manufacturing Manager of Mead Corporation at 2002 East Pettigrew Street, Durham, N. C. By: Biggers, DUSM	jn
10-17-63	Filed summons returned executed on Miller Container Corporation by delivering a copy to Harold P. Kyle, President, at 1883 Arlington Road, S. W., Roanoke, Virginia on 10-15-63. By: Bowman, USM on 10-17-63	rm
10-18-63	Filed summons returned executed on Container Corporation of America by leaving a true copy with Mr. Norman Marler, Plant Manager at 811 E. 24th St., Winston-Salem, N.C. By: Hines, DM	rm
10-18-63	" summons returned executed as to Carolina Container Corporation by leaving a true copy with I. Paul Ingle, President, on 10-17-63, at High Point, N.C. By: Burrows, USM	rm
10-22-63	" Summons returned executed on Owens-Illinois Glass Company by leaving a true copy with K. E. Rosenbaum, General Manager of Owens-Illinois Glass Company at RFD, Spencer, N.C. on 10-18-63. By: Almond, DM	rm
10-25-63	Filed Summons returned executed on 21 Oct 1963 at Jacksonville, Fla. by serving the within named St. Joe Paper Company by delivering a true copy of summons and complaint to Mr. William B. Mills, Vice President, an officer of St. Joe Paper Company. By: Ellis, D. M., Middle Dist. of Fla.	gr
10-28-63	Filed Notice of Appearance by Norman Block and A. L. Meyland for defendant St. Regis Paper Company. Certificate of Service attached.	jn
10-28-63	Filed Summons returned executed on 25 October 1963 at Greenville, S. C. by serving the within named Crown Zellerbach Corp. by leaving a true copy of summons and complaint with Mr. Gordon M. Clark, Resident Manager, at his office on Gordon St. Summons By: Nealy, D. M., Western Dist. S. C.	gr
10-30-63	Filed Exhibit returned executed on 24 Oct 1963 by serving true copy of Summons and Complaint on W. F. A. Glover, Jr., Asst Mill Agent of International Paper Co., Georgetown, S. C. By: W. C. Whitworth, D. M. Charleston, S.C.	gr
10-30-63	Filed Summons returned executed on 23 Oct 1963 by leaving a true copy of Summons and Complaint with Mr. Allan McDonald, Vice-Pres. and Sales Manager for Tri-State Container Corporation, at his office in Elizabethton, Tenn. By: Charles C. Combs, D. M.	gr
10-30-63	Filed Summons returned executed on 16 Oct 1963 by leaving a true copy of Summons and Complaint with Mr. C. W. Florry, Manager of Weyerhaeuser Company in Charlotte, N. C. By: Sigmon, D. M., W. D. N. C.	gr
10-30-63	Filed Summons returned executed on 16 Oct 1963 by leaving a true copy of Summons and Complaint with Mr. John R. Walker, Sales Manager of Waterbury Corrugated Container Co., Newton, N. C. By: Sigmon, D. M., W. D. N. C.	gr

DATE	PROCEEDINGS	Date Order of Judgment Noted
10-30-63	Filed Summons returned executed on 17 Oct. 1963 by leaving a true copy of Summons and Complaint with Mr. L. W. Heavener, Manager of West Va. Pulp and Paper Co., 614 N. Modema St., Gastonia, N. C. By: Carrell J. Sigmond, D. M., W.D.N.C.	gr
10-30-63	Filed Summons returned executed on 16 Oct 1963 by leaving a true copy of Summons and Complaint with Mr. Joseph A. Schwind, Manager of Dixie Container Corporation, Morganton, N. C. By: Carrell J. Sigmon, D. M., W.D.N.C.	gr
11-4-63	Filed Order signed by Judge Stanley 4 Nov 1963 allowing Motion of Defts. <u>Dixie Container Corporation, Dixie Container Corp. of N. C., Owens-Illinois Glass Co. and Waterbury Corrugated Container Company</u> that time for answering or otherwise moving as to Complaint is extended to and including 15 January 1964. Copies mailed to parties and U. S. Attorney.	gr
11-4-63	Filed Stipulation of Deft. <u>Continental Can Company, Inc.</u> and U. S. Attorney approved by Judge Stanley 4 Nov 1963 allowing said defendant to and including Jan 15, 1964 within which to answer or otherwise plead to complaint.	gr
11-4-63	Filed Stipulation of <u>Albemarle Paper Manufacturing Company</u> signed by Wharey M. Freeze, Attorney for Justice Department and approved by Judge Stanley 4 Nov 1963 allowing Deft. to and including 15 Jan 1964 within which to file answer or otherwise plead.	gr
11-4-63	Filed Stipulation of <u>Deft. Miller Container Corp.</u> signed by Mr. Wharey M. Freeze, Attorney for Department of Justice, allowing and approved by Judge Stanley 4 Nov 1963 allowing Deft. to and including 15 Jan 1964 within which to file answer or otherwise plead.	gr
11-5-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice and attorneys for Deft. <u>Union Bag-Camp Paper Corporation</u> approved by Judge Stanley 4 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-6-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice and attorneys for Deft. <u>Mead Corporation</u> , approved by Judge Stanley 5 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-6-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice and attorney for Deft. <u>Container Corporation of America</u> , approved by Judge Stanley 5 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-6-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice and attorneys for Deft. <u>Carolina Container Company</u> , approved by Judge Stanley 5 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-6-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice and attorneys for Deft. <u>St. Regis Paper Company</u> , approved by Judge Stanley 6 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-6-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice and attorneys for Deft. <u>Crown Zellerbach Corporation</u> , approved by Judge Stanley 6 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-7-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice and attorneys for Deft. <u>Weyerhaeuser Company</u> , approved by Judge Stanley 6 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-7-63	Filed Summons returned executed on Oct 22, 1963 at Jacksonville, Fla. by serving a true copy of Summons and Complaint on Mr. James W. Petree, Sales Manager for <u>St. Regis Paper Company</u> ; Mr. Petree is not an officer in the St. Regis Paper Company, but was advised by Horace Lamb, Atty for the Company, via long distance phone call to N. Y. to accept service and forward it on to him in New York. By: Herbert W. Ellis, DUSM	gr
11-8-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice, and Arthur O. Cooke, attorney for <u>Defendant International Paper Company</u> , approved by Judge Stanley 8 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-8-63	Filed Summons returned executed on 10-30-63 at 233 Sway, New York, N. Y. by leaving a true copy of Summons and Complaint with Mr. Walter C. Taylor, Assistant Secretary, <u>Union Bag-Camp Paper Company</u> . By: Anthony R. Marasco, D.M., SDNY	gr
11-7-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice, and attorneys for <u>West Virginia Pulp and Paper Co.</u> , approved by Judge Stanley 7 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-12-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice, and James A. Weller, Attorney for <u>Deft. Tri-State Container Corporation</u> , approved by Judge Stanley 12 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
11-15-63	Filed Notice of Appearance by R. M. Stockton, Jr., as attorney for Defendant Container Corporation of America.	gr
11-20-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice, and attorneys for <u>Inland Container Corporation</u> , approved by Judge Stanley 19 Nov 1963, allowing said defendant to and including Jan 15, 1964 within which to answer or otherwise plead to complaint.	gr
11-22-63	Filed Stipulation signed by Mr. Freeze, Attorney for Department of Justice, United States Attorney and Attorney for Defendant <u>St. Joe Paper Company</u> , approved by Judge Stanley 22 Nov 1963, allowing said deft. to and including 15 Jan 1964 within which to answer or otherwise move to complaint.	gr
12-9-63	Filed Summons returned executed on <u>Inland Container Corporation</u> on Nov 12, 1963 by leaving a copy at the Office of Mr. Frank Talbot, Vice-President of Inland Container Corporation of Macon, Ga.; he called on the phone and asked that the copy of Complaint and Summons be left with his secretary and he would call the U. S. Marshal's Office in Macon, Ga. and advise them that he had received the copies, and no further service necessary. By: J. C. Burns, U. S. Marshal, Macon, Ga.	gr
1-13-64	Filed Answer of Defendant <u>Carolina Container Company</u> . Certificate of Service.	gr
1-13-64	Filed Answer of Defendant <u>West Virginia Pulp and Paper Co.</u> Certificate of Service.	gr

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DATE	PROCEEDINGS	Date Order or Judgment Noted
1-13-64	Filed Answer of Defendant St. Regis Paper Company with Exhibit "A" attached. Certificate of Service.	gr
1-14-64	Filed Answer of defendant Continental Can Company, Inc. with Appendix "A" attached. Certificate of Service attached.	jn
1-14-64	Filed Answer of Miller Container Corp. Certificate of Service attached.	jn
1-14-64	Filed Answer of Albemarle Paper Manufacturing Co. Certificate of Service attached.	jn
1-14-64	Filed Answer of Weyerhaeuser Company, with Exhibit "A" attached. Certificate of Service attached.	jn
1-14-64	Filed Answer of The Waterbury Corrugated Container Co., with Exhibit "A" attached. Certificate of Service indicated in letter of 1-13-64 from counsel for defendant.	jn
1-14-64	Filed Answer of Union Bag-Camp Paper Corp. Certificate of Service attached.	jn
1-14-64	Filed Answer of Tri-State Container Corp. Certificate of Service attached.	jn
1-15-64	Filed Answer of St. Joe Paper Company with Exhibit "A" attached. Certificate of Service.	gr
1-15-64	Filed Answer of Dixie Container Corporation and Dixie Container Corporation of N. C. Certificate of Service.	gr
1-15-64	Filed Answer of The Mead Corporation. Certificate of Service.	gr
1-15-64	Filed Answer of Inland Container Corporation. Certificate of Service.	gr
1-15-64	Filed Answer of Container Corporation of America, with Exhibit "A" attached. Certificate of Service attached.	jn
1-15-64	Filed Answer of Owens-Illinois Glass Company with Certificate of Service attached.	gr
1-15-64	Filed Answer of Crown Zellerbach Corporation with Exhibit "A" attached. Certificate of Service.	gr
1-15-64	Filed Answer of International Paper Company. Certificate of Service attached.	A/I jn
1-16-64	Filed Defendant Weyerhaeuser Company's Amended Certificate of Service to Answer filed 1-14-64.	gr
1-16-64	Prepared and mailed order for initial pre-trial conference to attorneys of record set for 2-25-64 at 2:00 p.m. in Greensboro, N. C.	gr
1-24-64	Filed Certificate of Service for Answer of Defendant The Mead Corporation filed 1-14-64; Exhibit A attached thereto.	gr
1-28-64	Case called for conference with attorneys before Judge Stanley in Greensboro. William H. Murdock, U. S. Attorney, Lewis Bernstein and W. M. Freeze from the Department of Justice appeared for plaintiff. Appearances for the individual defendants were as noted on the appearance sheet. The court suggested that counsel for all parties meet and confer before the initial pre-trial conference now scheduled for 2-25-64 to see if they can agree on as many facts and exhibits as possible; that counsel for the defendants consider submitting one list of interrogatories rather than each individual defendant submitting a separate set of interrogatories; the only discovery that the Government contemplated taking at this time is the depositions of two of the officers of each defendant, making a total of 38 depositions; counsel for the Government is to prepare and furnish in the next 10 days a list of the witnesses they care to examine at the depositions; the court further suggested that they defendants not commence their discovery until after the Government has completed the taking of the depositions they care to take; a committee composed of McNeill Smith, Chairman, A. W. Sapp, Thornton Brooks, and Ralph Stockton will confer with the court on behalf of all the defendants as the need arises and they will	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
1-28-64 Cont'd	convey the matters discussed to counsel for the other defendants; the defendants have contended that the complaint does not state a claim upon which relief can be granted; the court stated that if the defendants intend this to be taken as a motion to dismiss that the court desired to set up dates for the appropriate filing of the motions; briefs, etc.	
	Conclusion of conference with attorneys.	jn
1-29-64	Filed transcript of Court Reporter of the conference with attorneys held on 1-28-64 before Judge Stanley in Greensboro.	jn
2-25-64	Called before Judge Stanley in Greensboro for initial pre-trial conference. Counsel for the Government is to start taking depositions March 2nd 1964 and end March 13, 1964. Counsel for the defendants agreed that witnesses will appear and will produce documents without subpoena, no subpoenas are to be served. The defendants will defer cross examination of the witnesses until completion of the depositions. Within 10 days after completion of discovery, defendants will commence with examination, any party desiring re-direct examination will commence immediately after cross examination. The agreement with respect to examination, cross examination and re-direct examination will be the subject of stipulation of the parties. Parties agreed to stipulate to the signing of depositions before a notary public and customer lists should be made confidential. Within 30 days after the last witness is examined, cross examined and re-direct, the Government is to submit to the defendants suggested stipulation of facts. Within 30 days thereafter the defendants are to advise the Government the facts that can be stipulated to with respect to facts not already stipulated to, defendants set out reasons for failure to enter into stipulation. Ten days thereafter counsel for the Government and counsel for defendants are to meet and confer and agree on as many facts as possible. At the conclusion of this meeting the Court is to be notified concerning the schedule for conference with attorneys. Counsel advised the next conference will be held on May 28, May 29 or June 22, 1964. Defendants are to withhold all discovery until the next conference with the court; at the next conference a schedule will be agreed upon concerning the nature and scope of discovery as to all parties.	WE gr
2-25-64	Calendared for: Non-Jury. There are no pending motions except the defendants assert plaintiff failed to establish a case in the complaint; by the next meeting this should be abandoned or suggest a date to hear oral arguments.	we gr
3-2-64	Filed Court Reporter's transcript of initial pre-trial conference held February 25, 1964 in Greensboro, N. C.	gr
3-2-64	Filed Order on Initial Pre-Trial Conference held 25 February 1964, signed by Judge Stanley 25 February 1964; copies mailed to attorneys of record.	gr
3-4-64	Filed Stipulation approved by Judge Stanley on 3-4-64 that (1) the depositions of the persons designated in the Notice of 2-24-64 may be signed anywhere in the United States before any person authorized to administer oaths in the place where it is signed, (2) plaintiff will not disclose contents of any list of customers submitted by any deponent except as may become necessary, (3) defendants will defer cross-examination of deponents until after completion of direct examination, however, counsel for any defendant may make such inquiry as is necessary to clarify the testimony of any such witness, (4) filing of the depositions is hereby waived,	jn

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-5-64	Filed Stipulation, and order signed by Judge Stanley, designating any reporter employed by Alderson Reporting Company, Washington, D. C., as commissioner authorized to administer oaths for the taking of depositions listed in notice of 2-24-64.	rm
5-13-64	Filed Deposition of Adolphus Sidney Clay.	in
5-13-64	Filed Deposition of George William Colvin.	in
5-13-64	Filed Stipulation with reference to corrections in the depositions of George William Colvin and Adolphus Sidney Clay.	in
5-21-64	Mailed Notice of Conference with Attorneys on 6-23-64 at 2:00 p.m. in Greensboro, N.C., to attorneys of record.	rm
6-23-64	Called before Judge Stanley in Greensboro for a conference with attorneys. The parties advised the court that considerable progress had been made concerning stipulations on all facts and documents the Govt would introduce and that this document would be signed and deposited with the court 7-30-64 assuming the parties are successful in stipulating the facts. Tentative dates were agreed to by counsel for the govt and the depts which will be set at the conference with attorneys 7-30-64. At the conference with attorneys 7-30-64 the court advised the parties that it would not be necessary for all to attend, but requested that some one for the govt and some one for the depts be present. Counsel for the Govt and the depts were commended for the spirit with which they approached in formulation of facts and documents in this case.	we
6-24-64	Filed Court Reporter's Memorandum of further pre-trial conference held 6-23-64 in Greensboro.	jeb
✓6-25-64	Filed transcript of Conference with Attorneys held in Greensboro, June 23, 1964.	we
7-4-64	Mailed Notice to Attorneys of record of conference with attorneys at 2:00 p.m. 30 July 1964 in Greensboro.	bw
7-27-64	Filed Order signed by Judge Stanley dismissing dropping The Waterbury Corrugated Container Co. as a defendant in this action. (Certified copy of order mailed to Young M. Smith, Attorney, & U. S. Attny.)	bw
7-30-64	Case called for further conferecne with attorneys before Judge Stanley in G'boro. Announced that final agreement had been reached with respect to Government's statement of proof, and same is to be filed in next 10 days to 2 weeks. With the statement of proof will be a stipulation that the statement be placed under seal and available only to the court prior to time case is called for trial. Defendant's have until October 15, 1964 to submit to the Government thier proposed statement of proof; Government has until October 30, 1964 to either agree to the proposal or submit counter-proposals; counsel for Government and defendant's to meet by November 20, 1964 in good faith effort to settle any disagreements with respect to defendant's proposals to extent possible; defendant's proposed statement of proof to be formulated and signed by all parties by December 10, 1964 to extent agreement has been reached; parties to appear on December 17, 1964 at 2:00 p.m. in Greensboro for a further conferecne with the court to express themselves concerning stipulations reached with respect to defendant's case, whether any additional discovery will be needed, and a suggested plan for trial.	in
8-4-64	Filed Memorandum of Court Reporter of hearing on 7-30-64 in Greensboro (Conference with attorneys)	rm
8-12-64	Filed Court Reporter's transcript in 1 volume of further conference w/attorneys held 7-30-64 in Greensboro.	jeb
-24-64	Filed Stipulation as to Certain Proof. Not to be opened until trial. To be void in case of settlement without a trial on the merits of the case.	has

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order of Judgment Noted
10-9-64	Called for conference with attorneys before Judge Stanley in G'boro.	bw
10-9-64	<p>Filed Consent Stipulation and Order signed by Judge Stanley that:</p> <ol style="list-style-type: none"> 1. The date of 10-15-64 referred to in Paragraph 1 of memo of 7-30-64 (date to prepare and submit list of documents and statement of proof) is changed to <u>December 1, 1964</u>. The defts. will, on or before 11-20-64 notify the Govt. whether they intend to submit joint or individual proposed statements of proof. 2. The date of October 30, 1964, referred to in Paragraph 2 of said memo (govt's response to proposals) is changed to <u>December 15, 1964</u>. 3. The date of November 20, 1964, (counsels shall meet and confer) is changed to <u>January 5, 1965</u>. 4. The date of 12-10-64 (stipulation as to deft's proposed facts) is changed to <u>January 26, 1965</u>. 5. The date of December 17, 1964 (conference with attorneys) is changed to 2:00 p.m. on February 12, 1965. 	bw
1-12-65	Mailed notice to attorneys setting case for conference with attorneys at 2:00 p.m. on 2-12-65 in Greensboro.	bw
1-19-65	<p>Filed the following Depositions.</p> <p>Deposition of Mr. Edward Agar taken March 6, 1964. Deposition of Mr. Anthony J. Bagley taken March 5, 1964. Deposition of Mr. William B. Beams taken March 12, 1964. Deposition of Mr. David J. Bloom taken March 10, 1964. Deposition of Mr. Gordon M. Clark taken March 10, 1964. Deposition of Mr. T.M. Cox, Jr. taken March 11, 1964. Deposition of Mr. W.L. Diggs taken March 11, 1964. Deposition of Mr. M. F. Dozier taken March 5, 1964. Deposition of Mr. Philip B. Duffy taken March 11, 1964. Deposition of Mr. George Elliott taken March 13, 1964. Deposition of Mr. Frank B. Grimes taken March 9, 1964. Deposition of Mr. Robert Groner, Jr. taken March 2, 1964. Deposition of Mr. K. R. Hill taken March 11, 1964. Deposition of Mr. Carter Holbrook taken March 6, 1964. Deposition of Mr. C. T. Ingram, Jr. taken March 6, 1964. Deposition of Mr. J. B. Johnson taken March 3, 1964. Deposition of Mr. H. P. Kyle taken March 5, 1964. Deposition of Mr. Alan C. McDonald taken March 12, 1964. Deposition of Mr. Herbert L. Mitchell, Jr. taken March 3, 1964. Deposition of Mr. W. M. Noftsinger taken March 13, 1964. Deposition of Mr. David Orcutt taken March 12, 1964. Deposition of Mr. Joseph T. Piemonte taken March 12, 1964. Deposition of Mr. H. L. Reid taken March 6, 1964. Deposition of Mr. Joseph Reynolds taken March 12, 1964. Deposition of Mr. K. E. Rosenbaum taken March 11, 1964. Deposition of Mr. Joseph A. Schwind taken March 3, 1964. Deposition of Mr. V. C. Shutze taken March 10, 1964. Deposition of Mr. J. P. Tarantino, Jr. taken March 10, 1964. Deposition of Mr. W. L. Tharpe taken March 11, 1964. Deposition of Mr. Ivan D. Wood taken March 13, 1964. Deposition of Mr. L. A. Wulff taken March 9, 1964. Deposition of Mr. Lewis Wulff, Vol. II taken March 10, 1964.</p>	we

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-12-65	Case called for conference with attorneys before Judge Stanley in Greensboro. The court then dictated a Memorandum to the Court Reporter with the following pertinent provisions: Parties to appear before the court on April 23, 1965 for a further conference. Parties at that time to be prepared to advise the court with respect to their desires concerning the Final Pre-Trial Conference, if any, and the trial, and also any evidence either side desire to offer. The court envisions being able to dispense with the Final Pre-Trial Order but the final decision as to this will be made at the conference on April 23, 1965. Conclusion of conference with attorneys.	jn
2-18-65	Filed court reporters transcript of conference with attorneys held 2-12-65 in Greensboro.	we
2-19-65	Filed Memorandum by Court Reporter of conference with attorneys held on 2-12-65 at Greensboro before Judge Stanley.	jn
3-23-65	Mailed Notice to attorneys of record setting case for further conference with attorneys at 2:00 p.m. on 23 April 1965 in Greensboro.	bw
4-6-65	Mailed Notice and wrote Judge, changing date of conference with attorneys from 23 April to <u>3:00 p.m.</u> on Friday, 14 May 1965, in Greensboro.	bw
5-14-65	Called before Judge Stanley in Greensboro for conference w/attnys. Not later than 6-30-65 ptf. to file memorandum setting forth relevance of contentions in stipulations. Not later than 9-30-65 defts. to designate the parts of depositions taken in this action which will be introduced into evidence. Not later than 9-30-65 defts. to designate documents listed in exhibit 2. By 11-30-65 deft. to file names and addresses of expert witnesses. By 12-15-65, ptf. to file any objections to the documents, and their list of expert witnesses. Case set for trial January 10, 1966, at 10:00 a.m.	bw
5-21-65	Received from McNeill Smith, one of counsel for defendants, seven (7) volumes of exhibits with reference to further stipulation as to certain proof. These exhibits are contained in one container and are located in the vault.	jn
5-21-65	Filed Stipulation dated April 22, 1965 and signed by counsel for all parties.	jn
5-21-65	Filed Stipulation dated April 22, 1965 as to Certain Documents and signed by counsel for all parties. Schedule attached thereto.	jn
5-21-65	Filed Further Stipulation as to Certain Proof dated May 14, 1965 and signed by counsel for all parties; in one bound volume.	jn
5-21-65	Filed Stipulation approved by Judge Stanley on 5-21-65 that the Further Stipulation as to Certain Proof, dated May 14, 1965, the Stipulation as to Certain Documents, dated April 22, 1965, and the Stipulation, dated April 22, 1965, all of which have been deposited with the court, shall not be deemed to be filed or to become a part of the record in this cause until the commencement of the trial on the merits and, in case of a settlement of this proceeding without a trial on the merits to final judgment, the said stipulations shall be void and of no effect. (entry continued next page)	ju

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DATE	PROCEEDINGS	Date Order or Judgment Note
5-21-65 cont'd	The Further Stipulation as to Certain Proof, dated May 14, 1965, the Stipulation as to Certain Documents, dated April 22, 1965, and the Stipulation dated April 22, 1965, as deposited with the court shall be placed under seal, and prior to the date that this action is called for trial, shall be available only to the court.	jn
5-26-65	Filed court Reporter's transcript of conference with Attorneys held in Greensboro May 14, 1965.	we
5-26-65	Filed court reporters MEMORANDUM of conference with attorney May 14, 1965 in Greensboro,	we
7-2-65	MEMORANDUM - of plaintiff BEFORE TRIAL, with certificate of service.	rm
7-20-65	DEPOSITION - of Mr. Barnell E. Roberts.	we
7-20-65	DEPOSITION - of Mr. Frank Talbot.	we
7-23-65	ORDER - EMS changing word in last sentence on page 4 of Memorandum from "Continental" to "Container".	rm
9-29-65	DEFENDANTS' DESIGNATION OF EVIDENCE, with Exhibit.	bw
11-24-65	CONSENT ORDER - EMS, (1) statement of defendants' contentions to be filed on 11-30-65 may be limited to defendants' contentions based upon stipulation of 8-12-64, and 14 May 1965, etc; (2) On or before 12-15-65, counsel to confer to resolve defendants' objections; results of conference to be reported by counsel to the court on 12-20-65; (3) if defendants' objections not fully resolved by agreement or overruled by Court, defendants may file contentions to such evidence, the time for filing to be fixed by the court.	rm
11-30-65	DEFENDANTS' STATEMENT OF CONTENTIONS - two copies delivered to DA.	jeb
11-30-65	DEFENDANTS' OBJECTIONS TO PLAINTIFF'S EVIDENCE - two copies also delivered to D. A.	jeb
1-30-65	NOTICE OF FILING OF DEPOSITIONS & CHANGES - of Court Reporter.	bw
1-30-65	LETTER - from Helmer R. Johnson on behalf of all defts. stating that no testimony of expert witnesses will be offered at the trial.	bw
12-9-65	TRIAL CALENDAR - for 10 January 1966 in Greensboro prepared & copies mailed to attorneys.	bw
12-13-65	NOTIFIED BY U. S. ATTORNEY - that hearing would be necessary. NOTICE - of hearing set for 2:00 p.m. 12-20-65 in Greensboro mailed to all attorneys.	jeb

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-16-65	PTF'S OBJECTIONS - to Deft's Evidence, with cert. of svc.	bw
12-20-65	HEARING - before Judge Stanley in Greensboro on defendants objections to plaintiffs evidence. Oral arguments heard. Filed deletions from depositions designated by the plaintiff. Filed Plaintiffs materiality of depositions. The Government is permitted to offer deposition testimony so designated, the court reserved ruling on relevency, materiality and competency. The defendants are now permitted to amend deposition testimony and same is to be filed with the court not later than Jan. 10, 1966. The parties are to meet Dec 30, 1965 for marking exhibits that are to be introduced. *Trial is to commence wednesday Jan. 12, 1966, 10:00 a.m. (no notice necessary to parties, this is set out in memorandum dictated by the court. Trial time(2) to (3) days.	
12-28-65	MEMORANDUM - of Court Reporter of conference with attnys. held 12-20-65.	we bw
12-28-65	TRANSCRIPT - of Court Reporter of conference held 12-20-65.	bw
1-5-66	CONSENT ORDER - signed by Judge Stanley 1-4-66, that defendants may amend their contentions and designation of deposition testimony, a copy of same is to be filed with Mr. Bernstein, at the Dept. of Justice not later than noon 1-21-66 and original filed with the Court by 10:00 a.m. on 1-24-66. The *Trial to commence on Wednesday, 1-26-66 at 10:00 a.m., in Greensboro.	alv
1-6-66	MEMORANDUM - of Court Reporter of Conference held in Durham, 1-5-66.	alv
1-7-66	TRIAL CALENDAR - for 1-26-66, Greensboro, 10:00 a.m. copies mailed to attorneys of record.	alv
1-14-66	ORDER OF PROOF (List Of Exhibits) - of Plaintiff.	bw
1-20-66	CONTENTIONS - of Continental Can Company, Inc.	av
1-20-66	FURTHER CONTENTIONS - of defendant International, with certificate of service.	rm
1-21-66	FURTHER CONTENTIONS - of defendant Container Corp. of America, with certificate of service.	av
1-24-66	CONTENTIONS - of defendants, Albemarle Paper Mfg. Co, Dixie Container Corp., Dixie Container Corp. of N.C., Inland Container Corp., The Mead Corp., Miller Container Corp., Owens-Illinois Glass Co.,	av

DATE	PROCEEDINGS	Date Order or Judgment Note
1-24-66	(Continued) CONTENTIONS - of defendants, Tri-State Container Corp., Union Bag-Camp Paper Corp., West Virginia Pulp and Paper Co., and Weyerhaeuser Co.	av
1-24-66	DESIGNATION OF DEPOSITION TESTIMONY - of defendant, Inland Container Corp.	av
1-24-66	ADDITIONAL CONTENTIONS - of defendant, St. Joe Paper Co. with certificate of service attached.	av
1-24-66	FURTHER STATEMENT OF CONTENTIONS - of defendant, Crown Zellerbach Corp.	av
1-24-66	DESIGNATION OF DEPOSITION TESTIMONY - of defendant, Union-Bag-Camp Paper Corp.	av
1-24-66	DESIGNATION OF DEPOSITION TESTIMONY (AS CORRECTED) - of defendant, Owens-Illinois Glass Co.	av
1-24-66	AMENDED DESIGNATION OF DEPOSITION TESTIMONY - on behalf of certain defendants: Continental Can Co., Inc., Crown Zellerbach Corp., The Mead Corp., St. Joe Paper Co., International Paper Co., Container Corp. of America, West Virginia Pulp and Paper Co., Dixie Container Corp., Dixie Container Corp. of N.C., Tri-State Container Corp., St. Regis Paper Co., Miller Container Corp., Albemarle Paper Mfg. Co., Weyerhaeuser Co., and Carolina Container Co.	av
1-24-66	DESIGNATION OF DEPOSITION TO BE RECEIVED AS EVIDENCE - by defendant Carolina Container Co.	av
1-24-66	SEPARATE CONTENTIONS - of defendant, Carolina Container Co.	av
1-24-66	SUPPLEMENTAL CONTENTIONS - of defendant, St. Regis Paper Co. with cert. of service attached.	av.
1-24-66	MEMORANDUM OF POINTS AND AUTHORITIES - of plaintiff, with certificate of service.	rm
1-26-66	TRIAL BY COURT - called before Judge Stanley in Greensboro. we The Plaintiff was represented by Mrs. Lewis Bernstein, Freeze, & William H. Murdock. (for defts attorneys see list in file.	
	OPENING STATEMENTS - by the parties.	
	EVIDENCE - Plaintiff commenced with presentation of evidence. Case tried on stipulations and exhibits. Filed Union camps objections to parts of plaintiffs exhibits 37 & 38. Plaintiff identified and introduced exhibits 1 through 38.	we

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-26-66	Continued with Court Trial. Filed stipulations by Plaintiff.	we
1-27-66	<p>EXHIBITS</p> <p>- Plaintiff identified and introduced exhibits 39 through 60.</p> <p>Plaintiff rests.</p> <p>MOTION</p> <p>- of the defendants to dismiss. Court reserved ruling.</p> <p>EVIDENCE</p> <p>- Defendants commenced with presentation. we Defendants identified & introduced exhibits 1 through 1043, except the following exhibits were withdrawn by the defendants & not introduced. Exhibits 193-234-239-240-243-244-249-252-267-296-298-310-315-326-337-338-339- and 340. Defendants exhibit 1044 objection sustained.</p> <p>Defendant rests</p> <p>MOTION</p> <p>-of defendant renewed to dismiss. Court reserved ruling.</p> <p>FINDINGS OF FACT</p> <p>-to be served by the plaintiff on the defendants not later than 1 March 1966.</p> <p>PROPOSED FINDINGS</p> <p>-not later than 18 april 1966 the defts shall advise counsel for the plaintiffs w/ respect to plaintiffs proposed findings, the defts shall at the same time serve on the plaintiff requests. Not later than 2 May 1966 parties are to file a document showing the facts agreed upon, also request for additional findings. we</p> <p>BRIEF</p> <p>- of the Plaintiff to be filed not later than 10 May 1966.</p> <p>BRIEF</p> <p>- of the Defendants to be filed not later than 11 July 1966. The defendants are to file a consolidated brief.</p> <p>ORAL ARGUMENTS</p> <p>- set for 28 July 1966 in Greensboro Oral arguments to take 1 to 2 days.</p>	
1-28-66	TRANSCRIPTS	we
2-1-66	MEMORANDUM	we
	-of trial 26 and 27 January 1966.	
	- of court reporter of trial 26th & 27th January 1966 in Greensboro.	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
2-1-66	GENERAL OBJECTIONS - of Owens-Illinois Glass Company to Portions of Plaintiff's Evidence, with cert. of service.	bw
4-15-66	STIPULATION - approved by Jd. Stanley and signed by counsel for the parties that portions of plaintiff's exhibits 4 thru 38 compiled by the court reporter in four volumes designated as deposition testimony introduced into evidence, as a compilation of the testimony offered by the parties through depositions, in lieu of the depositions, and may be designated court exhibits in the following order. Volume I containing pages A-1 thru A-197 as court exhibit 4; Volume II containing pages A-198 thru A-405 as court exhibit 5; Volume III containing pages A-406 thru A-613 as court exhibit 6; Volume IV containing pages A-614 thru A-777 as court exhibit 7; Copies mailed to attorneys of record.	we
-18-66	DEPOSITION TESTIMONY INTRODUCED IN EVIDENCE - in accordance with stipulation approved by Judge Stanley, 4-15-66. Court Exhibits marked as follow: Volume I Containing pages A-1 through A-197 as Court Exhibit 4; Volume II, Containing pages A-198 through A-405 as Court Exhibit 5; Volume III, containing pages A-406 through A-613 as Court Exhibit 6; Volume IV Containing pages A-614 through A-777 as Court Exhibit 7;	av
-3-66	PLAINTIFF'S PROPOSED FINDINGS OF FACT - with certificate of service.	rm
-3-66	DEFENDANTS PROPOSED FINDINGS OF FACT - with cert. of service.	we
5-19-66	CONSENT ORDER - approved by Judge Stanley and consented to by the parties, modifying the entries and orders of the court at the conclusion of the trial on January 27, 1966. (1) Not later than May 31, 1966, the Govt. shall file its brief. (2) Not later than Aug. 1, 1966, the defts. shall file their brief, the defts are requested to file a consolidated brief to the greatest extent possible, and if one or more of the defts desire to file an additional brief, such brief shall be incl. as part (see page 14.)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-19-66	<p>CONSENT ORDER- continued</p> <p>- of the consolidated brief of the defendants. (3) on January 11, 1967 at 10:00 a.m., the case is set for the hearing on oral arguments.</p> <p>Certified copies of the consent order mailed to Mr. Wharey M. Freeze for the Plaintiff and to Mr. McNeil Smith for the defts, who will furnish copies to other counsel for the defts.</p>	we
5-19-66	PLAINTIFF'S PROPOSED FINDINGS - of fact, C/S attached.	we
6-2-66	<p>PTF'S MEMORANDUM</p> <p>- in Opposition to Defts' Evidential Objections dated 5-18-66, with cert. of svc.</p>	bf
6-2-66	<p>PTT'S POST-TRIAL BRIEF</p> <p>- with accompanying Appendix, with cert. of svc.</p>	bf
7-15-66	<p>ORDER</p> <p>- EMS, substituting A. W. Sapp, Jr., as attorney for A. W. Sapp, Sr., deceased, as one of counsel for West Virginia Pulp and Paper Company as of May 6, 1966.</p>	rm
7-19-66	<p>CERTIFICATE OF SERVICE</p> <p>- of plaintiff, by serving Order entered on 7-15-66, on the attorneys of record.</p>	slv
7-29-66	<p>STIPULATION</p> <p>- by parties that Index Cross Referencing PX 4 through 38 to Court Exhibits 4 through 7 is designated Court exhibit 8, signed by Jd. Stanley.</p>	slv
7-29-66	<p>CONSENT ORDER</p> <p>- signed by Judge Stanley, modifying order dated 5-19-66. Copies mailed to Attorneys.</p> <p>Not later than 10-15-66, defts. are requested to file a consolidated brief, and if one or more of the defts. desire to file an additional brief, such brief shall be included as a part of consolidated brief of the defts.</p> <p>In the event the pltf. desires to file a reply brief it shall do so no later than 11-15-66</p> <p>Case is set for Oral Arguments 1-11-67. 10:00a.m.</p>	slv
10-14-66	<p>POST-TRIAL BRIEF</p> <p>MEMORANDUM</p> <p>- of deft.</p> <p>- of defts. in support of proposed findings of fact and in opposition to certain of plaintiffs' proposed findings of fact. 2 vols.</p>	slv
	<p>DOCUMENTARY SUPPLEMENT</p> <p>INDICES</p> <p>- of deft. w/indices - 2 volumes</p> <p>- of deft. - 2 volumes.</p>	
	<p>CERTIFICATE OF SERVICE</p> <p>- of deft.</p>	jeb
12-13-66	<p>CALENDAR FOR ORAL ARGUMENTS - at 10:00 a.m. on 1-11-67 in G'boro prepared and copies mailed to all attnys. as notice.</p>	bf

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-11-67	ORAL ARGUMENTS - Called before Judge Stanley in Greensboro. Mr. Bernstein for the Govt. 10:30 a.m. until 1:00 p.m. Mr. Withrow for the defts 2:15 p.m. until 4:00 p.m. Mr. Sandridge for the defts 4:00 p.m. until 5:35 p.m.	we
1-12-67	Continued with oral arguments. Mr. Milman for the defts 10:00 a.m. until 12:15 p.m. Mr. Whiting for the defts 12:15 p.m. until 12:25 p.m. Mr. Johnson for the defts 12:25 p.m. until 12:40 p.m. Mr. Walsh for the defts 2:00 p.m. until 3:00 p.m. Mr. Seymour for the defts 3:00 p.m. until 4:10 p.m. Mr. Bernstein for the Govt. 4:10 p.m. until 5:10 p.m. Court to take case under advisement and will render a decision at earliest possible date.	we
1-16-67	TRANSCRIPT - of court reporter (two volumes) of ORAL ARGUMENTS January 11 and 12, 1967.	we
8-15-67	CROSS REFERENCE - from plaintiff's proposed findings to defts. comparable proposed findings.	we
8-31-67	FINDINGS OF FACT & CONCLUSIONS OF LAW - of Judge Stanley, ruling that ptf. is not entitled to injunctive relief and defts. are entitled to a judgment dismissing the complaint with prejudice.	bf
8-31-67	JUDGMENT - signed by Judge Stanley, denying relief of ptf. and dismissing complaint with prejudice. Each party to bear its own costs. Distribution of copies made to attorneys. J. S. 6 CARD.	bf bf
	---CLOSED---	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-30-67	NOTICE OF APPEAL LETTER	- of U. S. to Supreme Court of the United States. - to parties re: designation of contents of records & filing. jmc
11-22-67	COPY OF APPLICATION	- of U. S. for enlargement of time for docketing case on appeal to Supreme Court. jmc
12-1-67	COPY OF ORDER	- signed by Chief Justice Earl Warren extending time for docketing appeal to & including 1-28-68. jmc
1-17-68	DESIGNATION & CERTIFICATION OF RECORD ON APPEAL	- of ptf.
1-17-68	RECORD ON APPEAL	- in 6 parts prepared. To be hand delivered to Clerk, U. S. Court of Appeals by Clerk on 1-19-68. jmc
3-19-68	ADDITION	- to Record on Appeal as requested by counsel for defts. prepared & forwarded to Supreme Court. jmc
3-25-68	RECEIPT ACKNOWLEDGED	- by Clerk, U.S. Supreme Court, of papers forwarded 3-19-68. jmc
4-26-68	CERTIFIED COPY OF ORDER	- of Supreme Court noting probable jurisdiction in action. jc
1-16-69	OPINION	- of Supreme Court of U. S. reversing decision of this court. jmc
2-12-69	CERTIFIED COPY OF JUDGMENT	- of Supreme Court of U. S. reversing decision of this court and remanding action to this court for further proceedings in conformity with opinion of Supreme Court. jmc
2-12-69	REOPENED	- J. S. 6 Card issued. jmc
3-11-69	RECORD ON APPEAL	- in 6 parts returned by Clerk, U. S. Court of Appeals via express in 4 boxes. jmc
11-19-69	STIPULATION	- of the parties and approved by Judge Stanley that : 1. Ptf. shall have until and including 11-26-69 to file memorandum brief in support of entry of final judgment tendered by the ptf. 2. Defts to have until and including 12-31-69 within which to file the form of final judgment which the defts. deem proper and in accordance with the mandate of the U. S. Supreme Court with memorandum brief in support of defts. tendered judgment and in opposition to ptf's. tendered final judgment. wi

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-19-69	STIPULATION -continued. 3. Ptf. shall have until and including 1-14-70 within which to file reply to defts. memorandum brief. 4. Counsel for the parties shall appear before the Court on 23 January, 1970, at a time to be set by the Court, to present oral arguments. Certified copies mailed to counsel.	wi
11-28-69	MEMORANDUM - of ptf. in Support of Gov't proposed judgment. C/S.	jam
12-23-69	STIPULATION - of parties and approved by Jd. Stanley that defts. have until and including 1-16-70 to file final judgment or judgments which the defts. deem proper and in accordance with the mandate of the Supreme Court with brief; -Ptf. to have until and including 1-30-70 to file reply to defts'. brief. -Counsel for parties to appear before this Court 2-13-70 at a time to be set by the Court to present oral arguments. Copies mailed to counsel.	wi
-29-69	MOTION TO DISMISS - by deft. Albemarle Paper Co. on grounds of mootness, with c/s. Oral arguments requested.	we
	AFFIDAVIT -of L.E. Blanchard, Jr., in support of motion to dismiss by deft. Albemarle Paper Co.	we
	BRIEF - of deft. Albemarle Paper Co. in support of motion to dismiss on grounds of mootness.	we
-15-70	TELEPHONE CALL - H.A.S. talked with Welch Jordan. The proposed decree is due to be filed 1-15-70. It will not be filed. A stipulation was mailed to the Dept. of Justice on 1-14-70 for signature. Upon signing it will be returned to Greensboro. Mr. Jordan will then present a decree consistent with the stipulation. The stipulation includes all the defts. except Albemarle. Albemarle could not consent because they claim that they are no longer in the cardboard container industry. Mr. Bernstein will submit a paper to the Court regarding the termination of the case as to Albemarle. In any event, no hearing will be necessary as now scheduled 2-13-70 with the possible exception of the Albemarle defendant.	HAS/jp

DATE	PROCEEDINGS	Date Order or Judgment Note*
1-22-70	MEMORANDUM - of deft. Albermarle Paper Co. in opposition to Motion to Dismiss. C/S.	av
	STIPULATION - as to the ptfs. proposed final judgment, as to all defts. with the exception of deft. Albemarle Paper Co.	av
1-30-70	LETTER TO PARTIES - cancelling hearing set for 2-13-70 in Greensboro.	jp
2-6-70	FINAL JUDGMENT - signed by Jd. Stanley, as to all defts. except Albermarle Paper Co. I Conduct of the defts. in furnishing to one another, upon request, information as to the most recent price charged or quoted to specific customers on specific orders in the circumstances in this case constituted a combination in restraint of trade in violation of Sec. 1 of the Act of Congress of 7-2-1890. II (A) "Corrugated containers" shall mean any and all kinds of shipping containers made of corrugated container board; (B) "Person" shall mean any individual, partnership, corporation, association or other legal or business entity; (C) "Southeastern United States" shall mean that area of the U.S. consisting of the States of Va., N.C., S.C., Ga., Fla., Alabama, Tenn., and Kentucky. III Provisions applicable to any deft. shall apply to such deft. and to each of its officers, directors, agents and employees, subsidiaries, successors and assigns; and to all other persons in active concert or participation with any of them who shall have received actual notice of this Final Judgment by personal service or otherwise; final judgment shall not apply to transactions or communications solely between a deft. and its officers, etc. or between or among any of them, or to transactions which occur outside	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-6-70	<p>FINAL JUDGMENT (continued) - of the U.S. and which do not affect the commerce of the U.S.</p> <p>IV</p> <p>All of the defts. except Albermarle Paper Co. are jointly and severally enjoined and restrained from:</p> <p>(A) For sales of corrugated containers shipped from the Southeastern U.S., and for a period of (10) yrs. from the date of entry of this final judgment, furnishing to, or requesting from, any other mfg. or seller of corrugated containers the most recent price charged or quoted, or the price to be charged or quoted to an identified customer or identified potential customer with respect to a specific order for particular corrugated containers, etc.</p> <p>(B) Furnishing to, or requesting from any other mfg. or seller of corrugated containers the most recent price charged or quoted, etc., for the purpose or with the effect of stabilizing prices, minimizing price reductions or otherwise restraining competition in price of corrugated containers;</p> <p>(C) Discussing with any mfg. or competing seller of corrugated containers the fact that the prices most recently charged or quoted, etc., for the purpose or with the effect of inviting compatible or harmonious pricing practices or otherwise stabilizing prices, or minimizing or restraining competition in price;</p> <p>(D) Distributing to any mfg. of corrugated containers any pricing manual, price lists, or similar pricing material of any kind which has been used or is to be used in computing prices charged or to be charged for corrugated containers unless such has been made generally available to customers of the deft. to which such pricing material is applicable.</p>	av

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DATE	PROCEEDINGS	Date Order Judgment
2-6-70	<p>FINAL JUDGMENT (continued)</p> <p>- of the U.S. and which do not affect the commerce of the U.S.</p> <p>IV</p> <p>All of the defts. except Albermarle Paper Co. are jointly and severally enjoined and restrained from:</p> <p>(A) For sales of corrugated containers shipped from the Southeastern U.S., and for a period of (10) yrs. from the date of entry of this final judgment, furnishing to, or requesting from, any other mfg. or seller of corrugated containers the most recent price charged or quoted, or the price to be charged or quoted to an identified customer or identified potential customer with respect to a specific order for particular corrugated containers, etc.</p> <p>(B) Furnishing to, or requesting from any other mfg. or seller of corrugated containers the most recent price charged or quoted, etc., for the purpose or with the effect of stabilizing prices, minimizing price reductions or otherwise restraining competition in price of corrugated containers;</p> <p>(C) Discussing with any mfg. or competing seller of corrugated containers the fact that the prices most recently charged or quoted, etc., for the purpose or with the effect of inviting compatible or harmonious pricing practices or otherwise stabilizing prices, or minimizing or restraining competition in price;</p> <p>(D) Distributing to any mfg. of corrugated containers any pricing manual, price lists, or similar pricing material of any kind which has been used or is to be used in computing prices charged or to be charged for corrugated containers unless such has been made generally available to customers of the deft. to which such pricing material is applicable.</p>	av

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order Judgment N
2-6-70	<p>FINAL JUDGMENT (cont.) - or termination of any of the provisions thereof, and for the enforcement of compliance therewith and the punishment of violations thereof.</p>	av
5-7-70	<p>NOTICE OF HEARING - re. entry of judgment as to Albemarle Paper Co. at 10:00 a.m. on 5-19-70 at Greensboro.</p>	bf
5-19-70	<p>FINAL JUDGMENT AS TO DEFT. - Called before Jd. Stanley in Greensboro for a hearing on entry of judgment as to deft. Albemarle Paper Co.</p> <p>ALBEMARLE PAPER CO.</p> <p>The Court approved the final judgment as to deft. Albemarle Paper Co.</p> <p>The conduct of the defts. in furnishing to one another, upon request, information as to the most recent price charged or quoted to specific customers on specific order in the circumstances in this case constituted a combination in restraint of trade in violation of Sec. 1 of the Act of Congress of July 2, 1890, (15USC §1) entitled "An act to protect trade and commerce against unlawful restraints and monopolies" commonly known as the Sherman Act, as amended.</p> <p>The Plaintiff's demand for injunctive relief, no longer being necessary, is hereby denied because of the following circumstances:</p> <p>After the entry of this court's final judgment on August 31, 1967 and prior to the Supreme Court's Opinion of January 14, 1969, the deft. Albemarle Paper Co. terminated its engagement in the mfg. and sale of all paper and paper products incl. corrugated containers and sold and transferred all of its assets theretofore used therefor to a corp. not affiliated with</p> <p>(see next page)</p>	we

DATE		PROCEEDINGS	Date Order or Judgment Note
5-19-70	FINAL JUDGMENT	-it. Thereafter, on Feb. 20, 1969, the said Albemarle Paper Co. was dissolved after it had been merged into its parent Ethyl Corp. The deft. Albemarle Paper Co. shall pay its appropriate taxable costs herein.	we
	COPIES	- of judgment mailed to all counsel.	we
	J.S. 6 issued.		
	RECEIPT	XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX.	WE
		C L O S E D	
7-20-70	BILL OF COSTS	- in the amount of \$5,689.11.	av
7-30-70	TAXED BILL OF COSTS	- in the amount of \$5,689.11.	av
8-4-70	LETTER	- to counsel regard picking up exhibits.	we
8-31-70	EXHIBITS AND DEPOSITION	-returned to counsel for the ptf., Ptf's exhibits 1 thru 61 and deposition of Joseph Reynolds.	wi
9-23-70	RECEIPT	-for ptf.'s exhibits Nos. 1 thru 61 and deposition of Joseph Reynolds.	wi
10-14-70	EXHIBITS	- of the deft. Nos. 1 thru 1043 with the exception of Nos. 193,234,239,240,243,244,249,252,267,296, 298,310,315,326 & 337 thru 340 which were not introduced are destroyed.	wi