

(3)
10,527 (3)

Wheeler
DOCKET ~~Hulen, J.~~

CLOSED

JAN 5 1960

TITLE OF CASE	ATTORNEYS
UNITED STATES OF AMERICA	For Plaintiff: Dept. of Justice by U. S. Attorney
v.	For Defendant:
BROWN SHOE COMPANY, INC. G. R. KINNEY CO., INC.	R. H. McRoberts Bryan, Cave, McPheeters & McRoberts 1630 Boatmen's Bk. Bldg., St. Louis
Injunction to prevent Violation of Section 7 of Clayton Act	(Mr. Arthur H. Dean, & Henry N. Ess, & (-Wm. -Buder-- (Withdraws 6-29-56) (%Sullivan & Cromwell (48 Wall Street (New York 5, N. Y.

DATE	PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE	DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
				2-2-60	Merriam & Francis	500	
				2-3-60	Trees 9/550		500
				4-6-65	Brown Shoe Co - costs - \$11,000.00		
				4-7-65	To Trees - 9/5 #65		\$11,000.00

As per Jeff Amended

bill of costs of 2-2-65

TO WHOM DUE	AMOUNT	RECEIPTS, REMARKS, ETC.
Clarks fees	15.00	
Marshals fees	439.70	
Ct Reporter fees	3230.63	
Witness fees	5285.92	
Copies of Papers, etc	1102.30	
Docket fees	20.00	
Depto Costs	906.45	
Total	11,000.00	

(3)
10,527(3) U.S. v. Brown Shoe Co., Inc., et al

DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1955				
Nov. 28	<p>Complaint filed and summons issd. to defts. Motion of plttf for preliminary injunction filed. Motion of plttf for temporary restraining order against defts. filed, presented and temporary restraining order against defts. f filed and entered, said order to expire by its term 10 days after entry unless within such time order for good cause shown is extended for a like period, or unless defts. consent that it may be extended for a longer period.</p> <p>On oral appln. of plttf., motion of plttf for preliminary injunction set for hearing in Court 2 on Dec. 7 1955, at 10 A.M.</p> <p>Plttf's notice to defts. of hearing on its motion for preliminary injunction filed.</p> <p>Copies of aforesaid motion for preliminary injunction, motion for temporary restraining order, temporary restraining order and notice of hearing Dec. 7, 1955 on motion for preliminary injunction, delivered to U. S. Marshal for service upon defts.</p>			
Dec. 7	<p>Parties appear by counsel. Affidavits of Edward G. Gruis and Julius H. Tolton, with attached related documents, together with plttf's statement in the nature of a memo. of law, in support of its appln., for temporary injunction against defts., filed. and W.L.H. Griffing Affidavit of Clark R. Gamble, and W.L.H. Griffing of Brown Shoe Co., with attached related exhibits, and separate affidavits of Geo. L. Smith and Clifford O. Anderson of G. R. Kinney Co., together with defts' memo. of law, in opposition to plttf's motion for preliminary injunction, filed.</p> <p>Defts granted 7 days to submit answering affidavits and answering brief to plttf's affidavits and brief this day filed, and plttf granted 7 days thereafter to submit answering affidavits and answering briefs to defts' affidavits and brief this day filed.</p> <p>Defts., at their election, granted leave to file memo. as to circumstances and conditions as to how merger of defts., will be consummated in the event temporary restraining order herein is vacated and plttf granted 7 days thereafter to answer such memos if it so desires.</p> <p>Motion of plttf. for preliminary injunction argued and submitted, and by agreement, temporary restraining order heretofore entered herein against defts. continued in force and effect until Court's ruling on plttf's motion for preliminary injunction.</p>			
Dec. 6	<p>Return of Marshal. Southern Dist. of N. Y. filed. Summons/Executed on Edward Holloway, Secty of G. R. Kinney Co., Inc. Dec. 1, 1955; Summons/Executed on Brown Shoe Co., etc. et al Nov. 28, 1955</p>			
Dec. 20	<p>On oral appln. and with consent of plttf., deft. Brown Shoe Co., Inc., granted extension of time to and including Jan. 9, 1956, to plead to complaint.</p>			
Dec. 20	<p>Answer of deft. G. R. Kinney Co., Inc., to complaint, filed.</p>			

(3)
 CIVIL DOCKET 10,527(2) U.S. v. Brown Shoe Co., Inc., et al

7-1597a

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1956				
Jan. 9	✓ Answer of deft Brown Shoe Co. to complaint filed. ✓			
Jan. 13	Memo. opinion of the Court on pltf 's motion for preliminary injunction filed directing order be settled and submitted dissolving temporary restraining order, and granting a temporary injunction against deft., etc. conditioned as provided in such memo. opinion; copies of memo handed to Mr. Buder and Mr. McRoberts and copy mailed to U.S. Attorney by clerk 1/16/56.			
Mar. 2	Parties appear by counsel; thereupon drafts of proposed orders submitted by pltf and defts. respectively; brief of defts. forthwith filed and pltf granted 5 days within which to file reply brief.			
Mar. 6	Transcript of discussion concerning preparations for trial filed by Official Court Reporter of Court No.2.			
Mar. 13	Order filed and entered dissolving the temporary restraining order heretofore issd. by the Court on Nov. 28, 1955; directing defts., their officers, etc. take the necessary steps to carry out the plan substantially as described in the Proxy Statement of Brown, etc., including the calling and holding of meetings of stockholders of Brown and Kinney, to consider and vote upon the merger and the filing of a Certificate of Consolidation with the Sec'y of State of New York, upon the terms & conditions which shall take effect upon the filing of such Certificate of Consolidation and shall remain in effect until the final determination of this action, etc; that promptly upon the filing of the Certificate of Consolidation, new Kinney shall enter its appearance in this action and shall be subject to the jurisdiction of this Court in this action until the further order of this Court; and further, ordered that any party to this action may apply to the Court upon 15 days' notice to the other parties herein, for any further order in the premises, including modification of this order, as to the Court may seem just and proper; copies of above mailed by Clerk 3/14/56 to Hon. Harry Richards, U.S. Attorney, St. Louis, Mo. and Messrs. Bryan, Cave, McPheeters & McRoberts.			
Apr. 18	Motion of pltf for construction or modification of preliminary order herein of March 13, 1956, together with notice docketing said motion for hearing on May 1, 1956, filed.			
Apr. 26	Motion of pltf heretofore filed April 18, 1956 for construction or modification of preliminary order herein of March 13, 1956, argued submitted and overruled.			
May 8	Messrs. R. H. McRoberts, Marion S. Francis and Bryan, Cave, McPheeters & McRoberts enter appearance of deft G. R. Kinney Corp. as well as their appearance attys for said deft.			

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1956				
June 7	Pltff's interrogatories propounded to deft. Brown Shoe Co. filed.			
June 29	By leave, Wm. E. Buder withdraws as associate counsel for deft G. R. Kinney Co., Inc.			
Sept. 20	By consent, passed to further order of Court.			
1957				
Jan. 22	Depositions of Wm. J. Minier, Milton Frank and A. C. Fleener taken on behalf of pltff filed.			
Aug. 23	✓ Pre-trial conference had & order thereon filed incorporating matters & things agreed upon at such conference & setting Jan. 10, 1958 at 11:00 A. M. as date for next pre-trial conference. Cause passed to Jan 10, 1958 for trial setting. Copies of order mailed to attys. of record.			
* Dec 4	Objection of deft Brown Shoe Co., Inc to additional interrogatory of pltff., with notice docketing such objection for hearing before the court on Jan 10, 1958 at 11:00 A. M. filed.			
* Dec. 3	Pltff's motion for discovery & production of documents under Rule 34 with supporting affidavit of Bill G. Andrews, atty for Anti-Trust Division of Dept. of Justice, with notice to docket, filed. Motion passed for hearing to Jan 10, 1958.			
Dec 12	Pltff's request for admissions of fact filed.			
Dec 16	Response of deft Brown Shoe Co to request for admissions of fact filed.			
1958				
Jan. 6	Motion of pltff to strike defts' response heretofore filed to pltff's request for admissions of fact, with supporting memo. and notice docketing said motion for hearing at 11 A. M. on Jan 10, 1958 filed. Setting of pre-trial conference and hearing on motions for 11:00 A. M. on Jan 10, 1958 vacated and passed for resetting.			
Jan 23	Statement of pltff for pre-trial conference filed and delivered to Judge Weber. By leave, cause set for pre-trial conference and hearing on motions at 10 A. M. on Jan 24, 1958.			
Jan 24	Pre-trial conference memorandum, as well as interrogatories propounded to pltff filed by deft Brown Shoe Co., Inc. Pre-trial conference had and order thereon filed incorporating matters and things agreed upon at such conference and setting Friday, March 7, 1958 as date for next pre-trial conference, etc. Notices thereof mailed by the Court to attys. of record herein.			
Feb 3	Further response of deft. Brown Shoe Co. to request for admissions of fact filed.			
Feb 17	Stipulation filed extending time for pltff to serve answers, or			



CIVIL DOCKET

7-1507a

DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1958	NO. 10527(3)			
Feb. 17	cont'd			
	objections, to deft Brown Shoe Company's interrogatories to Feb 24, 1958.			
Feb. 25	Pltff's objections to interrogatories of deft Brown Shoe Co., Inc, with attached notice of hearing on such objections before the Court on <u>March 7, 1958</u> , filed.			
Mar. 6	Pltff's statement for pre-trial conference, as well as its memo. in support of objections to defts' interrogatories filed and delivered to Judge Weber.			
Mar 7	Memo. of matters and things agreed upon at pre-trial conference filed & approved. Cause set for another pre-trial conference on June 27 and 28, 1958 at 10 A. M. Cause set for trial on <u>Aug. 4, 1958.</u>			
May 26	Supplemental interrogatories of pltff., with attached certificate of service, filed.			
June 2	Objection of deft. Brown Shoe Co., Inc, to additional interrogatories of pltff filed. Aforesaid deft's notice of hearing of such motion on <u>June 5, 1958 at 9:45 A. M.,</u> filed.			
June 5	Order filed overruling objections of defts to interrogatories as modified by pltff except as to Supplemental Interrogatory No. 3F; granting deft 3 weeks to answer all interrogatories, except 3F, defts to have time to ascertain if the inf. is readily available on Supplementary Interrogatory 3F and if available to furnish the inf. when other Supplemental Interrogatories are answers, and if not readily available, Supplemental Interrogatories counsel for pltff & the Court are to be notified & Court reserves the right to make further orders touching defts defts' requirement to answer Supplemental Interrogatory 3F. Copy mailed to atty for deft. Pre-trial conference had.			
	Memo. on pre-trial conference filed.			
June 19	Stipulation of parties as to basic facts and issues filed.			
June 30	Pre-trial conference had on June 27 * 28, 1958. Memo. & order thereon filed this day incorporating matters & things agreed upon at such conference & passing matter for future order by the Court as to the setting herein & any other orders necessary or applicable to the trial or disposition hereof. <u>Pre-trial conference had on June 30, 1958.</u> Memo & order thereon filed this day incorporating matters & things agreed upon at such conference & suspending orders heretofore filed directing pltff deliver subpoenas to the Clerk by July 1, 1958 & to furnish defts with the names thereon as well as directing exchange of exhibits of tables & charts between the parties, on specified dates; directing that matter be held open until July 10, 1958 & if matters in disagreement have been solved, etc, pltff. granted until July 16, 1958 to furnish deft with list of witnesses subpoenaed & defts. granted until July 23, 1958 to furnish pltff with list of their witnesses, etc; directing parties to notify the Court by July 10, 1958 of their readiness, or not, for trial; and further ordering that in event the matter is taken off the trial setting, any matters & things arising concerning discovery, or any other matter that needs to be presented to the Court, will be taken up during the month of August, 1958, upon orders of the Court. Copies of above memos & orders handed by the Court to attys. of record.			

6

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1958	CASE NO. 10527(3)			
July 11	On motion of U. S. Atty., order filed directing the issuance of subpoenas to witnesses returnable at various times. (Suppressed) Pre-trial conference had. Ordered that plff's proposed stips 1 & 2 be added to the agreed stips paragraph of Courts memorandum of June 28, 1958; further that parties announce ready & trial setting beginning Aug. 4, 1958 shall stand and that said first date shall be devoted to the mechanics of identifying exhibits and the actual taking of testimony shall begin August 5, 1958.			
July 21	On appln of plttf. filed & presented, subpoenas issued for named witnesses returnable Aug. 4, 1958. SUPPRESSED.			
July 31	Plttf's brief before trial filed.			
Aug. 1	Appln of plttf for order for issuance of subpoenas filed, presented & order thereon filed directing subpoenas issue as prayed for by plttf. to certain witnesses named therein, such subpoenas returnable on August 18, 1958. (Suppressed) Defts' pre-trial brief filed.			
Aug. 4	Parties appear & announce ready; whereupon final hearing of cause before the Court is commenced, but not concluded & Further proceedings postponed until tomorrow at 10 A. M.			
Aug 5	Again come the parties on trial of cause before the Court; whereupon final hearing of cause resumed. The introduction of evidence in chief on behalf of plttf is commenced, but not concluded & further proceedings postponed until tomorrow at 10 A. M.			
Aug. 6	Again come the parties; whereupon the introduction of evidence in chief on behalf of plttf is resumed but not concluded & further proceedings on trial postponed until tomorrow at 10 A. M.			
Aug 7	Final hearing of cause before the Court resumed but not concluded & further proceedings postponed until tomorrow at 10:30 A. M.			
Aug 8	Appln of plttf filed & presented & order filed directing issuance of subpoenas for various parties, returnable Aug. 18, 1958. Final hearing of cause before the Court resumed but not concluded and further proceedings passed to Monday, <u>Aug 11, 1958</u> at 10 A. M.			
Aug. 11	On appln of plttf filed & presented, order filed directing issuance of subpoenas to various persons. Final hearing of cause before the Court resumed but not concluded; further proceedings postponed until tomorrow at 10 A. M.			
Aug. 12	Final hearing of cause before the Court resumed but not concluded; further proceedings postponed until tomorrow at 10 A. M.			
Aug. 13	Final hearing of cause before the Court resumed but not concluded; further proceedings postponed until tomorrow at 10 A. M.			

D. C. 110 Rev. Civil Docket Continuation

FPI ATLANTA—12-16-55—5M—3778

DATE 1958	NO. 10527(3) U.S. vs Brown Shoe Co. et al PROCEEDINGS	Date Order or Judgment Noted
Aug 14	Final hearing of cause before the Court resumed but not concluded and further proceedings postponed until Monday, Aug. 18, 1958.	
Aug. 18	Application of plttf for an order for issuance of subpoena filed, presented & order thereon filed directing Clerk issue subpoena to the person therein named, returnable before this Court on August 19, 1958 at 10 A. M. Again come parties. Final hearing of cause before the Court is resumed but not concluded & further proceedings on trial postponed until tomorrow at 10 A. M.	
Aug 19	Final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Aug 20	Final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Aug 21	Final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until Monday, Aug. 25, 1958. Stipulation of parties of matters & things agreed upon filed.	
Aug. 25	Final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until Monday, Oct. 13, 1958.	
Sept 22	Appln of plttf filed & presented & order filed directing issuance of subpoenas to various parties returnable Oct 13, 1958.	
Oct 3	Memo. Opinion & Order filed sustaining defts' objections to the government's Exhibits 16 & 17 & directing said exhibits not be received in evidence, and overruling deft's objections to Exhibits 157, 158 & 159 & directing said exhibits be received into evidence. Copies of Memo. & Order mailed by the Court to attys. of record.	
Oct. 6	Transcript of testimony adduced & proceedings had during trial of cause before Judge Weber on August 4, 5, 6, 7, 8, 11, 12, 13, 14, 18, 19, 20, 21 and 25, 1958, filed. (16 volumes)	
Oct 7	Application of plaintiff filed & presented and order filed directing issuance of subpoena returnable Oct 13, 1958.	
Oct 10	Appln for issuance of subpoena filed by plttf & order directing the issuance of subpoena filed.	
Oct. 3	Return of service of U.S. Marshal, New Haven, Conn., to subpoena duces tecum issd. to Lester A. Suhre, filed. (Executed 9-29-58)	
Oct. 13	Again come parties on trial of cause before the Court; whereupon final hearing of cause is resumed but not concluded & further proceedings on trial postponed until tomorrow at 10 A. M.	
Oct. 14	Again come the parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings on trial postponed until tomorrow at 10 A. M.	
Oct. 15	Again come the parties; whereupon the introduction of evidence in chief on behalf of plttf on trial is resumed & concluded. Motion of defts for jdgmt. in their favor at close of plttf's case orally made, submitted & overruled. The introduction of evidence on behalf of defts commenced but not concluded and	

8

DATE 1958	PROCEEDINGS CASE NO. 10527(3) U.S.A. vs Brown Shoe Co., et al	Date Order or Judgment Noted
cont'd		
Oct 15	further proceedings on trial postponed until tomorrow at 10 A. M.	
Oct 16	Again come the parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings on trial postponed until Monday at 10 A. M.	
Oct 17	Exparte Motion of attys. for deft. Brown Shoe Co., Inc, to substitute person in Court order for issuance of subpoenas duces tecum filed, presented & granted in order filed.	
Oct 20	Again come the parties; whereupon the introduction of evidence on behalf of defts is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Oct 21	Again come the parties; whereupon the introduction of evidence on behalf of defts is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Oct 7	Marshal's return to deposition subpoena issd to Pauline Cloin, returnable Oct. 3, 1958, filed. (Executed on witness Cloin on 9-26-58)	
Oct 13	<p>Marshal's return to subpoenas filed. (Unexecuted as to J.W.E. Riggs - could not be found) (Executed on Harold S. Blackman on 10-13-58)</p> <p>Return of service of U.S. Marshal, ^{Dist. Ct. at Burlington,} Vermont, to subpoena upon J. J. Brady, filed, unexecuted; but executed upon aforesaid J.J.Brady on 10-9-58 at his home in Addison, Vermont.</p> <p>Return of service of U.S. Marshal, N. Dist. of Ill., of subpoena upon Herman Erlen on 10-7-58, filed.</p> <p>Return of service of U.S. Marshal, Philadelphia, Pa. / ^{of subpoena} on Lewis Danoff on 10-7-58 filed.</p> <p>Return of service of U.S. Marshal, Chicago, Ill., of subpoena on Leo Burnett on 10-18-58 filed.</p> <p>Return of service of U.S. Marshal, Greensboro, N.C. / ^{of subpoena} on Walter R. Johnson, Jr. on 10-6-58 filed.</p>	
Oct. 22	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings on trial postponed until tomorrow at 10 A. M.	
Oct.23	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings on trial postponed until tomorrow at 10 A. M.	
Oct 24	Again come parties; whereupon final hearing of cause before the Court is resumed, but not concluded & further proceedings postponed until Monday next at 10 A. M.	
Oct 27	Again come parties; whereupon final hearing of cause before the Court is resumed, but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Oct 28	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Oct. 29	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	

D. C. 110 Rev. Civil Docket Continuation

FPI ATLANTA—12-16-55—5M—3778

DATE 1958	PROCEEDINGS CASE NO. 10527(3) U.S. OF A. vs BROWN SHOE CO., et al	Date Order or Judgment Noted
Oct. 30	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Oct. 31	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until Monday next at 10 A. M.	
Nov. 3	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Nov. 4	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Nov. 5	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings postponed until tomorrow at 10 A. M.	
Nov. 6	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further proceedings on trial postponed until tomorrow at 10:30 A. M.	
Nov. 7	Again come parties; whereupon final hearing of cause before the Court is resumed but not concluded & further trial on proceedings passed to further order.	
Nov. 1	Transcript of record from Monday, Oct 13, 1958 to & including Friday, Nov 7, 1958, filed. (*18 volumes)	
Nov. 24	Return of service of U. S. Marshal for the Southern District of N. Y. to subpoenas filed. (Unexecuted upon Paul Hanne, Vice Pres. of J. C. Penney Co., N. Y. as could not be found; executed upon Lester O. Naylor, Vice Pres. of Montgomery Ward & Co., N. Y. and executed upon J. C. Penney Co., New York, by serving R. M. McGregor, its Asst. Sec'y.)	
Dec. 22	Cause set for further hearing before the Court <u>on Jan 23, 1959.</u>	
1959 Jan 12	Upon appln of atty for plttf., order filed directing Clerk of Court to issue subpoenas to various witnesses. Pursuant thereto, such subpoenas issd.	
Jan. 23	Plttf's rebuttal evidence commenced but not concluded & further proceedings postponed until tomorrow at 9:30 A. M.	
Jan. 24	Plttf's rebuttal evidence resumed & concluded. Plttf granted to March 15, 1959 within which to present brief; deft to May 15, 1959 for presenting answering brief & the Govt. 30 days thereafter for presenting reply brief, & upon receipt of all briefs, cause to be taken as submitted.	
Jan. 26	Transcript of Record (2 volumes) from Jan 23 to Jan 24, 1959 filed.	
Mar. 18	Brief of plttf filed.	
Nov. 20	Memo. Opinion of the Court filed deterring issues submitted on final hearing, embodying the Court's Findings of Fact & Conclusions of Law thereon, holding the Court shall enter judgment requiring deft Brown to relinquish & dispose of the acquired stock of deft Kinney & thereafter enjoining Brown & Kinney, their agents,	

DATE 1959	PROCEEDINGS CASE NO. 10527(3) USA VS BROWN SHOE CO, et al	Date Order or Judgment Noted
cont'd		
Nov. 20th	etc, from acquiring any interest in the stock or assets of the other deft, etc, & by further holding, reserving for further consideration the matters touching the effects of the disposition of the stock & suitable manner in handling same, etc, the judgment to be entered will provide for such further hearing, rulings & final order. Cause passed by the Court to <u>Dec. 1, 1959</u> for entry of judgment in conformity with aforesaid opinion. Notices of above action mailed by Clerk to Harry Richards, U. S. Atty., Messrs. Sullivan & Cromwell, New York, N. Y. and to Messrs. Bryan, Cave, McPheeters & McRoberts, St. Louis.	
Nov. 25	At request of defts., entry of judgment upon opinion filed 11-20-59, is deferred to Dec 8, 1959.	
Dec. 4	Amendment to the Court's Opinion filed Nov. 20, 1959, in words and figures as therein set out, filed. Copies of Amendment handed to Harry Richards as well as to Mr. McRoberts; copies of Judgment to be filed at a later date also handed to each of aforesaid attorneys by the Court.	
Dec. 8	Final Jdgmt. received & filed & entered adopting the Court's Opinion heretofore filed on Nov. 20, 1959 as its Findings & Conclusions; decreeing that the acquisition by deft. Brown Shoe Co., Inc, through its subsidiary deft. G.R.Kinney Corp, of deft G. R. Kinney Co., Inc, constitutes a violation of Sec. 7 of the Clayton Act (15 USC, Sec 18), etc; decreeing defts Brown Shoe Co., Inc, G. R. Kinney Co., Inc, and G. R. Kinney Corp., etc, et al, after the divestiture herein ordered, are hereby enjoined from acquiring or having any interest in the business, etc, of the other defts; decreeing that pending divestiture, deft G. R. Kinney Corp shall administer the assets acquired from G. R. Kinney Co., Inc, and replacements heretofore & hereafter made, in good faith, and as a going shoe business with a view of preserving the assets in as good condition as possible, same to be operated independently & pursuant to terms & conditions set forth in Court's Order dated March 13, 1956; decreeing that the divestiture herein ordered shall require the prior approval of this Court on notice to counsel for plff; defts. to prepare & file with the Court within 90 days from effective date of this Final Judgment a proposed plan to carry into effect the divestiture order & plff within 30 days thereafter to file opposition, or suggestions, thereto; and decreeing jurisdiction of this cause is retained by this Court for any such further orders & directions as may be necessary, etc, and assessing costs against the deft. Notices thereof mailed to Harry Richards and to Bryan, Cave, McPheeters & McRoberts.	
Dec.14	Amendment to Opinion of the Court filed Nov. 20, 1959, in words & figures as therein set out, filed. Copies mailed to Harry Richards and to Mr. McRoberts.	
Dec 18	Motion of deft Brown Shoe Co., Inc, to stay execution of final judgment, with annexed affidavit of Arthur H. Dean, as well as proposed order, filed.	
Dec. 24	<i>ABOVE MOTION DELIVERED TO JUDGE WEBER.</i>	
Dec. 28	Order filed sustaining motion of deft Brown Shoe Co & staying final jdgmt entered Dec 8, 1959 until disposition of deft's appeal to the Supreme Court of the USA; further providing that if deft fails to appeal within time allowed by law, this stay order shall expire. Copies of order mailed by Clerk to Messrs. Sullivan & Cromwell and to Bryan, Cave, McPheeters & McRoberts, attys for Brown Shoe and to Harry Richards, U.S.Atty. (Pryce H)	
1960 JAN. 2	Notice of Appeal of deft. Brown Shoe Co., Inc, to the Supreme Court of the	

D. C. 110 Rev. Civil Docket Continuation

FPI ATLANTA-12-16-55-5M-3778

DATE 1960	PROCEEDINGS CASE NO 10527(3) U.S.A. vs BROWN SHOE CO., et al	Date Order or Judgment Noted
cont'd Feb. 2nd	U.S. from final jdmt. entered herein on Dec. 8, 1959, together with designation of contents of record on appeal, and proof of service upon Wm. H. Webster, U. S. Atty., et al, for appellee, filed.	
Feb. 19	Cross-designation of U. S. Attorney of record on appeal of deft. Brown Shoe Company, together with affidavit of service thereof upon attys for said deft., filed.	
Mar. 24	Transcript of testimony from August 4, 1958 through January 24, 1959, consisting of 35 volumes (Pages 1 through 5119, both incl), filed.	
Mar. 30	Stipulation filed and approved authorizing certain changes and corrections in the transcript of testimony in accordance with letter and list of corrections attached thereto. Defendants' motion to have original records transmitted to the Supreme Court of the U. S. with supporting affidavit of Edwin S. Taylor, of counsel for defendants filed and presented and order thereon filed sustaining said motion and directing the Clerk to certify and transmit the original records of this Court (including exhibits) to the Supreme Court of the United States and directing said original records be returned to this Court at the conclusion of their need or use by the Supreme Court.	
June 24	Certified copy of order of Supreme Court of the U.S. in its Case No. 829 (Oct. Term, 1959) Brown Shoe Co. vs U.S. dated June 20, 1960, noting probable jurisdiction, rec'd & filed.	
1962		
June 28	Copy of opinion of Supreme Court of the U. S., announced June 25, 1962, rec'd from Clerk of said Court & filed. (Judgment or mandate will issue after the expiration of 25 days from the date of opinion, or if a timely petition for rehearing is filed, from the date of the order thereon.)	
July 23	Certified copy of judg rec'd from Supreme Court of the U S and filed. (Judg of U S Dist Ct affirmed)	
Oct 17	Proposed Plan of Divestiture submitted by deft Brown Shoe Co., Inc.	
Nov 20	Motion of plff for further orders and directions, pursuant to Par. 5 of the final judgment of Dec 8, 1959, together with aff. & memo., filed.	
1963		
Feb 21	Interim Order regarding Divestiture filed.	
Aug 26	Report of Brown Shoe Co., Inc, filed. Notice waived. Interim order filed and entered. Deft granted leave to withdraw Exhibit A to said report and to substitute corrected copy.	
Sept 30	Final report of Brown Shoe Co, Inc, with attached Exhibit A in final form filed.	
Oct 8	<i>Above report & Exhibit returned to Clerk by Court.</i>	
1964		
July 27	Plff's cost bill filed.	
Aug. 3	Deft's motion to review plff's cost bill filed. Argument requested.	

