INDEX VOLUME

TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1960



BROWN SHOE COMPANY, INC., APPELLANT,

vs.

UNITED STATES.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI

FILED APRIL 1, 1960
PROBABLE JURISDICTION NOTED JUNE 20, 1960

SUPREME COURT OF THE UNITED STATES OCTOBER TERM, 1960

No. 65

BROWN SHOE COMPANY, INC., APPELLANT,

vs.

UNITED STATES.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI

INDEX TO VOLUME 1

	0111	***
Record from the U.S.D.C. for the Eastern District	Original	Print
of Missouri, Eastern Division	1	1
Attachments:	1	1
Proposed agreement by Brown Shoe Company, Inc. and G. R. Kinney Co., Inc.	10	8
Proposed certificate of consolidation of	10	0
Brown Shoe Company, Inc. and G. R. Kinney Co., Inc. into Brown Shoe Com-		
pany, Inc.	12	12
Summons and marshal's return (omitted in		
printing)	15	16
Answer of defendant G. R. Kinney Co., Inc	16	16
Answer of defendant, Brown Shoe Company, Inc. Memorandum opinion, Hulen, J., dated January	19	18
13, 1956	26	24
Order dissolving temporary restraining order,	3 *	
etc., Hulen, J., dated March 13, 1956	41	38
and December 14, 1959	45	42

RECORD PRESS, PRINTERS, NEW YORK, N. Y.

ii INDEX

Record from the U.S.D.C. for the Eastern District	Original	Print
of Missouri, Eastern Division—Continued		
	96	77
Final judgment	90	11
Order granting stay of final judgment pending appeal	102	79
Notice of appeal	102	80
Clerk's certificate (omitted in printing)	148	86
Order noting probable jurisdiction	149	86
Order hooning probable jurisdiction	143	00
INDEX TO VOLUME 2		
Transcript of testimony, August 4, 1958	1	87
Appearances	. 1	87
Colloquy re numbering proposed stipulations	2	88
Transcript of testimony, August 5, 1958	35	97
Statement on behalf of the United States by		
Mr. Coyle	36	97
Statement on behalf of Brown Shoe · ·		
Inc. by Mr. Dean	44	102
Offers in evidence	54	108
Testimony of Julius H. Tolton-		
direct	71	119
cross	75	121
redirect	89	130
direct	96	132
cross	103	136
recross	111	141
Sam Sullivan—		
direct	113	142
cross	130	153
Colloquy between court and witness	163	169
Testimony of Sam Sullivan-		
redirect	165	170
Transcript of testimony, August 6, 1958	169	172
Paul A. Driscoll—		
direct	242	172
cross	247	175
redirect	273	191

index iii

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division—Continued		
Transcript of testimony, August 6, 1958—Con- tinued		
Testimony of G. M. Moreno-		
direct	278	194
cross	312	214
Transcript of testimony, August 7, 1958	331	223
Testimony of G. M. Moreno-continued		
cross	331	224
Offer in evidence	369	241
Testimony of G. M. Moreno-		
redirect	370	241
recross	378	247
redirect	379	247
recross	397	256
Charles E. Long-		
direct	398	257
Ray Hansen—		
direct	419	270
cross	434	279
redirect	448	286
recross	451	288
redirect	452	288
John Stinson-		
direct	· 453	289
cross	460	293
redirect	465	296
Colloquy re exhibits	468	297
Offers in evidence and objections thereto	475	301
Transcript August 8, 1958	497	309
Testimony of Raymond Hill-		
direct	497	309
cross	519	322
redirect	538	334
recross	554	342
redirect	556	344
Offers in evidence	557	344
Testimony of Chaucey Kiah-		
direct	569	348

	Original	Print
Record from the U.S.D.C. for the Eastern Distric	t	
of Missouri, Eastern Division-Continued		
Transcript of testimony, August 11, 1958	. 596 .	361
Colloquy re exhibits	_ 596	361
Testimony of Alexander Hagstrom-	99 •	
direct	_ 599	363
cross	622	375
redirect	. 642	387
William Alfred Cook-		
direct	. 652	392
eross	663	398
redirect	. 681	409
recross	688	413
Offers in evidence	693	415
Testimony of Julius H. Tolton (recalled)-		
direct	696	417
Offers in evidence		418
Testimony of Richard Sears-		
direct	713	427
Offers in evidence	100 Day	431
Testimony of Richard Sears-		
direct	720	432
cross		442
redirect	F - 1200	452
recross		456
Transcript of testimony, August 12, 1958		456
Colloquy between court and counsel		456
Testimony of Fred E. Sherman.		100
direct	773	458
cross		467
modinant	10.11-00.	473
Edward F. Badazinski—	. 100	310
direct	800	473
cross		480
redirect	A STATE OF THE STA	486
Offers in evidence		488
Testimony of Harold S. Buckley—	040	100
direct	826	489
	**************************************	497
redirect		501
realrect	040	JUL

INDEX

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		
Transcript of August 12, 1958—Con-		
tinued	1.	
Offer in evidence	849	502
Testimony of Raymond Shannon-		
direct	853	502
Offers in evidence	861	507
Testimony of Raymond Shannon-		
direct	866	510
cross	888	552
redirect	903	531
recross	905	532
redirect	906	533
recross	907	533
redirect	908	534
Julius H. Tolton (recalled)-		
direct	910	535
Offer in evidence	910	536
Testimony of Julius H. Tolton-		100000000
cross	911	537
direct	914	538
cross	915	539
direct	918	541
Offers in evidence	918	541
Transcript of testimony, August 13, 1958	933	549
Testimony of George S. Sugerman—	000	010
direct	933	549
cross	956	563
redirect	970	571
Eugene M. Jontz-	010	OIT
direct	976	575
cross	990	584
redirect	1009	595
Randall Floro—	1003	050
	1017	con
direct		600
cross	1022	603
redirect	1033	609
William A. Augustine-	*000	25.0
direct	1038	612
Offer in evidence	1056	623

vi index

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		
Transcript of testimony, August 13, 1958-Con-		
tinued		
Testimony of William A. Augustine-		
direct	1057	623
cross	1064	628
redirect	1082	638
Offers in evidence	1086	640
INDEX TO VOLUME 3		
. THE EXTRACTO VOLUME 6		
Transcript of testimony, August 14, 1958	1131	653
Testimony of Millard H. Krasne-		
direct	1131	653
cross	1152	665
redirect	1167	674
recross	1173	677
redirect	1175	678
recross	1177	680
redirect	1178	680
Robert Trussell-		
direct	1187	685
cross	1195	690
redirect	1208	697
David N. Borkum-	E.	
direct	1213	699
cross	1222	705
redirect	1247	719
recross	1251	720
George Harrison-		20000
direct	1253	721
Offer in evidence	1259	725
Testimony of George Harrison-		A
direct	1260	725
cross	1283	737
redirect	1292	742
Offers in evidence and objections thereto	1293	743
Outly in otherway and objections mercho		. 40

vii

Record from the U.S.D.C. for the Eastern District	Original	Print
of Missouri, Eastern Division—Continued		
Transcript of testimony, August 18, 1958	1301	747
Colloquy between court and counsel re Court's	1001	141
Exhibit 83-A	1301	747
Offer in evidence	1330	764
Testimony of James S. Legg—	1990	104
direct	1331	765
Offer in evidence	1345	
Testimony of James S. Legg—	1940	773
	1346	773
redirect	1382	11000000000
		793
Forl Moves	1385	795
Karl Mayer— direct	1391	798
[전 경기 :	1404	3000 TO 200 M 10
Offers in evidence	1404	806
Testimony of Karl Mayer—	1412	810
redirect	1430	817
	1445	825
Collogue re exhibits	1453	827
Colloquy re exhibits	1472	834
Transcript of testimony, August 19, 1958	14/2	004
Testimony of Walter E. Weidmann—	1472	834
cross	1487	842
redirect	1507	851
recross	1510	853
redirect	1515	856
Wallace C. Smith—	1910	000
direct	1516	857
cross	1536	869
redirect	1559	882
Harold Laverenz—		002
direct	1566	886
cross	1587	895
redirect	1613	909
Offers in evidence	1618	911
Transcript of testimony, August 20, 1958	1627	915
Testimony of John Esch—	1001	0.10
direct	1627	915
urrect	1021	919

viii index

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		
Transcript of testimony, August 20, 1958-Continued		
Testimony of John W. Wiley-		
direct	1638	921
cross	1656	931
redirect	1667	937
Colloquy re exhibits	1670	938
Offers in evidence	1679	940
Testimony of Jack Altman		
direct	1686	940
cross	1702	949
redirect	1746	971
· recross	1752	975
John Esch (recalled)—		
cross	1763	980
redirect	1770	984
recross	1771	985
Transcript of testimony, August 21, 1958	1776	987
Testimony of Fred Albert Lang-		
direct	1776	987
cross	1797	1000
redirect	1812	1009
recross	1815	1011
redirect	1817	1012
J. M. Gould-		
direct	1818	1013
cross	1830	1019
redirect	1870	1039
recross	1879	1045
redirect	1883	1047
Offers in evidence	1885	1048
Colloquy	1892	1052
Stipulation as to testimony of Avon Sole		
Company	1897	1054
Offers in evidence	1900	1056
Transcript of testimony, August 25, 1958	1937	1071
Colloquy re exhibits	1937	1071
Offers in evidence	1948	1077

index ix

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		
Transcript of testimony, October 13, 1958	1976	1085
Offers in evidence and discussion thereon	1976	1085
Testimony of Lester A. Suhre—		
direct	1993	1094
Offer in evidence	1999	1097
Testimony of Lester A. Suhre-		
cross	1999	1097
redirect	2010	1104
recross	2013	1106
Oliver W. Heath—	(42)	
direct	2015	1107
cross	2017	1108
redirect	2024	1112
Louis Dunoff—		
direct	2025	1113
cross	2031	1117
redirect	2067	1136
recross	2069	1138
Julius H. Tolton-		
direct	2076	1142
Harold S. Blackman-		
direct	2079	1144
Motion to admit exhibits and objections		
thereto	2081	1145
Testimony of Harold S. Blackman-		
cross	2086	1148
Julius H. Tolton—		
further direct	2093	1153
further cross	2095	1154
Bill G. Andrews-		
direct	2097	1155
Transcript of testimony, October 14, 1958	2105	1158
Testimony of Herman H. Erlen-		
direct	2105	1158
cross	2111	1161
redirect	2128	1172
Walter R. Johnson, Jr.—		
direct	2130	1173
Offers in evidence	2135	1176

X INDEX

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		
Transcript of testimony, October 14, 1958-Con-		
tinued		
Testimony of Walter R. Johnson, Jr	. 9	
cross	2157	1188
redirect	2171	1197
recross	2175	1200
redirect	2177	1201
INDEX TO VOLUME IV		
Transcript of testimony, October 15, 1958	2183	1204
Offers in evidence	2183	1204
Offers in evidence, objections thereto and over-		
ruling thereof	2185	1205
Defendants' motion for directed verdict and	TOTAL CONTRACTOR	
overruling thereof	2262	1248
Statement of counsel for defendants	2262	1248
Testimony of Clark R. Gamble—	2202	1-10
direct	2280	1258
Transcript of testimony, October 16, 1958	2328	1285
Testimony of Clark R. Gamble (recalled)—	2020	1100
direct	2328	1285
cross	2451	1351
Transcript of testimony, October 20, 1958	2495	1376
Testimony of Clark R. Gamble (recalled)—	2100	1010
cross	2496	1376
	2584	1426
Offers in evidence	2004	1420
Testimony of Clark R. Gamble—	2589	1429
recross	2594	1432
George L. Smith—	9500	1495
direct	2599	1435
Offers in evidence	2619	1447
Testimony of George L. Smith—	0.000	7.40
direct	2623	1449
cross	2630	1453
Transcript of testimony, October 21, 1958	2669	1475
Testimony of George L. Smith (recalled)—	0.000	
cross	2669	1475
Offer in evidence	2694	1488

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division—Continued		
Transcript of testimony, October 21, 1958-Con-		
tinued	1963	
Testimony of George L. Smith—	222	2
redirect	2694	1488
recross	2703	1491
Clifford O. Anderson-		
direct	2708	1493
Transcript of testimony, October 22, 1958	2816a	1553
Testimony of Clifford O. Anderson-		
direct	2816a	1553
cross	2835	1564
redirect	2886	1592
H. G. Laatz—		
direct	2887	1592
CTOSS	2890	1594
Offer in evidence	2894	1597
Testimony of H. G. Laatz-		
redirect	2895	1597
recross	2896	1598
Thomas Wands—	2000	1000
direct	2897	1598
Offer in evidence	2902	1601
Testimony of Thomas Wands—	2002	1001
cross	2902	1601
William James Crawford—	2002	1001
direct	2913	1608
cross	2934	1620
redirect	2957	1633
Transcript of testimony, October 23, 1958	2963	1635
Testimony of Louis B. Walker—	9069	1005
direct	2963	1635
cross	2992	1653
redirect	3020	1667
recross	3021	1668
Louis J. Schaefer—		
direct	3026	1670
cross	3100	1711
redirect	3129	1727
recross	3139	1731

xii Index

INDEX TO VOLUME V

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		
Transcript of testimony, October 24, 1958	3141	1732
Testimony of James C. Taylor-		
direct	3143	1733
Offers in evidence	3160	1742
Testimony of James C. Taylor-		
cross	3218	1778
redirect	3261	1802
recross	3271	1807
redirect	3276	1809
Eugene J. Roessell-		
direct	3282	1812
Transcript of testimony, October 27, 1958	3329	1839
Testimony of Eugene J. Roessell (resumed)-		
direct	3330	1840
Offer in evidence	3357	1856
Testimony of Eugene J. Roessell-	= %	(652
cross	3378	1868
Ross Bridge-		
direct	3411	1887
cross	3435	1901
redirect	3470	1920
Transcript of testimony, October 28, 1958	3474	1922
Colloquy re exhibits	3474	1922
Offer in evidence	3476	1924
Testimony of Lewis Heicklen-	853,7335,4353	
direct	3481	1927
Offers in evidence	3484	1928
Testimony of Lewis Heicklen-		
cross	3512	1945
redirect	3532	1957
Donald H. Goodyear-	5502	100.
direct	3535	1959
cross	3555	1971
redirect	3568	1978
20011000	3000	1010

Record from the U.S.D.C. for the Eastern District	Original	Print
of Missouri, Eastern Division—Continued		
Transcript of testimony, October 28, 1958—Con-		
tinued		
프랑스트 (1974년 - 1974년 - 1		
Testimony of James B. Stuart—	3572	1980
direct	3585	
· eross		1988
redirect	3598	1995
recross	3598	1996
Offers in evidence	3600	1997
Transcript of testimony, October 29, 1958	3628	2013
Testimony of Jay D. Straus—		I I A COMPANY OF AN
direct	3628	2013
cross	3689	2049
Aarol C. Fleener—		
direct	3719	2066
Offers in evidence	3729	2072
Testimony of Aarol C. Fleener-		
cross	3764	2092
redirect	3794	2109
recross	3798	2111
Transcript of testimony, October 30, 1958	3799	2112
Testimony of Monte Shomaker-		
direct	3799	2112
Offers in evidence	3839	2137
Testimony of Monte Shomaker-		
cross	3942	2196
Transcript of testimony, October 31, 1958	3951	2201
Testimony of Monte Shomaker-		
redirect	3951	2201
recross	3963	2207
redirect	4008	2234
recross	4014	2237
James Hudson Jones—	1011	2201
direct	4018	2239
cross	4030	2247
redirect	4041	2253
		De-E377-07-07-07
James F. Whitehead—	4042	2254
	4040	0054
direct	4043	2254
cross	4083	2277
redirect	4090	2281

December 11 and a feet to Perturb Piction	Original	Print
Record - the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division—Continued		
Transcript of testimony, October 31, 1958—Con- tinued		
	4091	2282
Colloquy re exhibit	4031	2402
Testimony of Robin Trevor Tait-	4097	2285
direct		2288
Cross	4103	
Transcript of testimony, November 3, 1958	4154	2317
Offers in evidence	4154	2317
direct	4176	2327
cross	4198	2340
redirect	4208	2346
recross	4209	2346
Henry Marshall—	4200	2010
direct	4211	2347
cross	4217	2350
Robert Gandal—	7211	2550
direct	4220	2353
cross	4223	2354
redirect	4225	2356
recross	4226	2356
Edwin Barrett—	1220	2000
direct	4226	2356
cross	4231	2359
redirect	4237	2362
recross	4237	2363
Robert A. Milburn—	4201	2000
direct	4238	2364
cross	4248	2369
redirect	4257	2374
Bernard I. Fetter—	4201	2017
direct	4258	2375
cross	4267	2380
redirect	4273	2383
recross	4274	2384
James R. Appell—	3413	2004
direct	4278	_
ulrect	4210	-

INDEX

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		*
Transcript of testimony. November 4, 1958	4303	2400
Testimony of James R. Appell-continued		
direct	4303	2400
Offers in evidence	4324	2412
Testimony or James R. Appell-		
cross	4325	2412
. redirect	4339	2420
John Young Patrick-		
direct	4342	2422
Offer in evidence	4344	2424
Testimony of Melvin Katzman-		
direct	4345	2424
cross	4351	2427
redirect	4353	2429
Joel Dean-		
direct	4354	2429
cross	4360	2432
redirect	4362	2434
recross	4369	2438
redirect	4376	2441
Offer in evidence	4419	2466
Transcript of testimony, November 5, 1958	4438	2476
Testimony of Joel Dean (recalled)-		
redirect	4438	2476
Statement by the court re exhibits	4472	2494
Testimony of Joel Dean-		
redirect	4477	2496
Colloquy between court and counsel	4554	2536
Transcript of testimony, November 6, 1958	4562	2540
Testimony of Joel Dean (recalled)-		
redirect	4562	2540
Offers in evidence	4664	2593
Transcript of testimony, November 7, 1958	4668	2593
Testimony of Joel Dean (recalled)-recross	20	
(cross examination in chief by Mr. Coyle)	4668	2593
Colloquy re exhibits	4792	2649
Transcript of testimony, January 23, 1959	4827	2666
Colloquy between court and counsel	4828	2666

xvi INDEX

	Original	Print
Record from the U.S.D.C. for the Eastern District		
of Missouri, Eastern Division-Continued		
Transcript of testimony, January 23, 1959—Con-		
tinued—		
Exhibit U (offer)—Offer of proof	4839	2673
Exhibit U (Objections)	4844	2675
Colloquy re exhibits	4851	2681
Testimony of Jay M. Gould (in rebuttal)-		
direct	4864	2688
Offers in evidence	4884	2699
Testimony of Jay M. Gould-		
cross	4884	2700
redirect	4916	2718
recross	4925	2723
Henry W. McClugage-		
direct	4941	2732
cross	4956	2735
redirect	4958	2736
Colloquy re exhibits	4959	2737
. of Harrison Houghton-		
direct	4965	2738
Voir dire examination	4967	2739
direct	4979	2746
Joseph Fox (in rebuttal)-		
direct	: -	2750
cross	4998	2758
Transcript of testimony, January 24, 1959	5023	2772
Testimony of Harrison F. Houghton-		
(recalled)—		
direct	5001	2759
redirect	5023	2772
cross	5025	2773
recross	5050	2788
redirect	5051	2788
Offers in evidence	5051	2789
Testimony of Harrison Houghton-		2.00
recross	5057	2791
Colloquy re exhibits	5058	2792

index xvii

	Original	Print
Record from the U.S.D.C. for the Eastern District of Missouri, Eastern Division—Continued		•
Transcript of testimony, January 24, 1959-Continued		
Testimony of Max H. North (in rebuttal)-		
direct	5065	2796
Offers in evidence	5072	2800
Testimony of Max H. North-		
cross	5082	2805
redirect	5082	2805
recross	5083	2806
Marcus Rice (in rebuttal)-		
direct	5084	2806
cross	5090	2810
redirect	5094	2812
Offers in evidence	5096	2813

xviii INDEX

GOVERNMENT'S EXHIBITS

VOLUME 1

Exhibit				
No.	Title or Description of Exhibit	Original	Print	
1	G. R. Kinney-Pair Sales by City	. 1	G. E. —	1
2	Regal-Pair Sales by City	16	G. E. —	17
3	Wohl Department Sales by City	. 20	G. E. —	21
4	Sales of Men's, Women's and Children's Shoes by Wohl Departments in Kin- ney Cities	36	G. E. —	27
5	Sales of Men's, Women's and Children's Shoes by Wohl Departments by Price		G. E	37
6	G. R. Kinney-Pair Sales of Men's Women's and Children's Shoes by Price Range		G. E. —	4 8
7	Population of Cities Limited to City Limits-1955		G. E. —	54
8	History of acquisitions by Brown Shoe Company 1913-1955		G. E	59
9	Geographical Locations of Wohl De- partments, Regal Stores, Kinney Stores, Brown Franchise Stores and Wohl Plan Accounts, Showing Prox- imity to Each Other Within Selected Cities. (Distance in Blocks)	P. Constant	G. E. —	60
10	Geographical Locations of Wohl De- partments, Regal Stores, Kinney Stores, Brown Franchise Stores and Wohl Plan Accounts, Showing Prox- imity to Each Other Within Selected Cities. (Individual Maps)		G. E. —	71
11	Acquisitions by the Five Leading Shoe	,,		
	Manufacturers 1950-1956	208	G. E. — 2	10
12	Areas of Distribution—Brown Shoe Co., G. R. Kinney Co. (Maps)	212	G. E. — 2	14

Exhibit No.	Title or Description of Exhibit	Original	Print
13	Letter dated September 22, 1955 from Sam Sullivan to Clark Gamble, Presi- dent, Brown Shoe Company	•	G. E. — 215
14	Cover sheets to answer to Kinney Supplemental Interrogatory No. 1, Kinney's Competitors	R	G. E. — 216
15	Cover Sheets to Interrogatory Answer Group II, No. 4, Wohl's Competitors		G. E. — 219
19	Assets of Listed Shoe Firms 1945-1956	221	G. E. — 223
20	Shoe Manufacturing Plants Operated by Listed Firms 1945-1956		G. E. — 225
21	Total Number of Shoe Manufacturing Plants from 1950-1956		G. E. — 225
22	Retail Outlets Operated by Listed Firms		G. E. — 229
23	Shoe Industry Trends by Price Line, 1948-1956		G. E. — 231
24	Brown Franchise Agreement	245	G. E. — 248
25	Letter dated January 22, 1957 from Oden D. Prowell to H. B. Hall, Treas- urer, Brown Shoe Company		G. E. — 251
26	Letter dated November 9, 1956 from Oden D. Prowell to H. B. Hall, Treas- urer, Brown Shoe Company		G. E. — 254
27	Letter dated November 21, 1956 from Oden D. Prowell to H. B. Hall, Treas- urer, Brown Shoe Company		G. E. — 255
28	Brown Franchise Bulletin dated December 27, 1956	255	G. E. — 258
29	Cover sheets to Interrogatory Answer Group VII, No. 1, regarding fire and extended coverage insurance and Rubber Footwear for Brown Fran- chise Stores		G. E 260

XX INDEX

Exhibit No.		riginal	Print
30	Kinney Competition—Lawton, Oklahoma Store No. 675	260	G. E. — 263
31	Letter dated May 14, 1955 from Phil Rubin, Lynchburg, Va., to Les Sher- man, Wohl Shoe Company	261	G. E 264
32	Airmail letter dated May 19, 1955 from Wohl Shoe Company to Phillip Rubin	262	G. E. — 265
33	Sales of Brown Selling Divisions, 1950- 1955 (Total, compared with Sales to Wohl)	264	G. E. — 267
34	Wohl Shoe Company Purchases of Shoes (from Brown and others) 1950-1955	266	G. E. — 269
35	Wohl Shoe Company Purchases of Shoes (with percentage shares from Brown and others) 1950-1955	268	G. E. — 271
36	Sales of Brown Selling Divisions (Total, compared with sales to Wohl) Fiscal 1956, 1957 and to May 1, 1958	269	G. E. — 272
37	Wohl Shoe Company Purchase of Shoes (with percentage shares and dollar amounts from Brown and others) 1956-1957	270	G. E. — 273
38	Sales by Brown Selling Division to Kinney (Fiscal 1956, 1957 and to May 1, 1958)	271	G. E. — 274
39	Shoe Purchases by Wetherby-Kayser Shoe Company, June 1, 1950-May 31, 1953. One by T. D. Riley Shoe Co., August 1, 1952-July 31, 1955	272	G. E. — 275
40	Chart showing Percentage share of Shoe Purchases from Brown by Wohl Wetherby-Kayser and Kinney		
	VALUE AND DESCRIPTION OF A COLUMN ASSET AS	416-8	4 17 / / /

index xxi

Exhibit No.	Title or Description of Exhibit	Original	Print
41	Letter dated January 10, 1957 from E. W. Edwards and Son		G. E. — 278
42	Letter dated February 5, 1957 from Wohl Shoe Co. to Bates Shoe Co., Webster, Mass.	,	G. E. — 279
43	Brown Franchise Stores Program—bro-		G. E 280
44	Brown Franchise Stores Program—bro-		G. E. — 299
45	Brochure telling of the profit made by Brown Franchise Stores		G. E. — 322
46	The Wohl Plan-brochure	. 338	G. E. — 341
47	The Development of Factors Influenc- ing the Progress of the Philadelphia Market		G. E. — 364
48	Shoe Buying Habits of White Collar Girls in New York City	•	
	VOLUME 2		
49	Profitability of Controlled Shoe Store Operations — Leo Burnett Company study		G. E. — 414
50	Brown inter-company correspondence dated June 4, 1955 from Sam Barnett to Dick Johnston		G. E. — 423
51	Memo dated June 23, 1955 from Stan- ley Boziach to Walter Schaub		G. E. — 424
52	Memo dated June 8, 1955 from Dick Johnston to Sam Barnett		G. E. — 425
53	Brown inter-company correspondence, dated June 13, 1955, Sam Barnett to Dick Johnston		G. E. — 427
54	Handwritten notes made June 13, 1955 regarding Gimre's Shoe Store		G. E. — 430

Exhibit No.)riginal	Print
55	Memo dated June 17, 1955 from Dick Johnston to all division heads re- garding Gimre's Shoe Store	429	G. E. — 431
56	Net Sales of Listed shoe firms, 1945- 1956	430	.G. E. — 432
57	Dollar Sales of 13 largest Firms pri- marily engaged in the manufacture, distribution or sale of shoes in 1955	432	G. E. — 434
58	Shoe manufacturers listed in order of their production by pairs (1951-1957)	433	G. E. — 435
59	Acquisitions by Shoe Chains with 101 or more outlets	434	G. E. — 436
60	Total Assets of the 13 largest corpora- tions engaged primarily in the manu- facture, distribution or sale of shoes in 1955	436	G. E. — 438
61	Wohl Competitors in Davenport, Iowa	437	G. E 439
62	Sales of Plants Acquired by Brown in 3 years prior to their acquisition	438	G. E. — 440
67	Minutes of Board of Directors of Brown Shoe Company Meeting—April 7, 1953	445	G. E. — 447
68	Yearly Change in Number of Wohl Departments, Brown Franchise Stores and Wohl Plan Accounts	447	G. E. — 449
69	Yearly Change in Number of Regal Stores	453	G. E. — 4 55
70	Yearly Change in Number of Kinney Stores	454	G. E. — 456
71	Brown Franchise, Kinney, Regal and Wohl Retail Outlets Operating May 1, 1958	455	G. E. — 457

INDEX XXIII

Exhibit No.	Title or Description of Exhibit	Original	Print
72	Regal Wholesale Sale of Men's Shoes to Brown, Wohl and Kinney 1951-1955		G. E. — 458
73	Regal Wholesale Sales to Brown, Wohl and Kinney, Fiscal 1956, 1957		G. E. — 460
74	Wohl's Share of Brown Wholesale Sales (1950 and 1957)		G. E. — 461
75	Wohl's Retail Shoe Sales by Brand, Pairs, Cities, and Types (Calendar 1955)		G. E. — 462
76	Brown and Wohl Branded Shoes as Percent of Wohl's Retail Sales by City and Type (Calendar 1955)	477	G. E 479
78	Certificate of Insurance is sued to George Harrison, care of Jaffe's, But- ler,	485	G. E. — 486
79	Consumer Shoe Sales by Price Categories and as Percentages of Total U. S. Production, Selected Years 1942-1955 (Women's)	486	G. E. — 487
80	Consumer Dress Shoe Sales by Price Categories and as Percentages of To- tal U. S. Production. Selected Years 1942-1955 (Men's)	489	G. E. — 490
81	Consumer's Shoe Sales by Price Categories and as Percentages of Total U. S. Production (Women's) 1942- 1955 (Chart)	493	G. E. — 494
82	Consumer's Dress Shoe Sales by Price Categories and as Percentages of To- tal U. S. Production (Men's) 1942- 1955 (Chart)		G. E. — 495
83	Brown Shoe Company—Pair Sales by City		G. E. — 496

Exhibit No.	Title or Description of Exhibit	Original	Print
83A	Defendant's Memorandum on Plaintiff's Proposed Stipulation No. 51		G. E 510
84	Wohl Wholesale Sales by City	515	G. E. — 516
85	Heydeys Shoe Catalogue (Fall-Winter 1958-59)		G. E. — 526
86	Invoice No. 78412, Wohl to Arteraft	526	G. E. — 527
87	Letter, December 17, 1956, Artcraft to Wohl		G. E. — 528
88	Letter, dated March 4, 1958, from Sadt- ler of Wohl to Meyer of Arteraft		G. E. — 529
89	Letter, dated March 6, 1958 from Gom- pertz of Arteraft to Sadtler of Wohl		G. E. — 530
90	Arteraft Price List, December 17, 1957 Boor-ettos		G. E. — 531
91	Invoice No. 3959, Arteraft to Wohl, 3/21/58	531	G. E. — 532
92	Invoice No. 3954, Arteraft to Wohl, 3/21/58		G. E. — 533
93	Invoice No. 3941, Arteraft to Wohl, 3/21/58	533	G. E. — 534
94	Invoice No. 4129, Arteraft to Wohl, 4/2/58	534	G. E. — 535
95	Invoice No. 3940, Arteraft to Carlston Shoe Co., 3/21/58	535	G. E. — 536
96	Invoice No. 3953, Arteraft to Encino Shoes, 3/21/58	536	G. E. — 537
97	Invoice No. 2978, Arteraft to Aronoff Shoe Co., 3/24/58	537	G. E. — 538
98	Invoice No. 3984, Arteraft to G. H. Baker Shoes, 3/25/58	538	G. E. — 539

INDEX XXV

Exhibit No.	Title or Description of Exhibit	Original	Print
99	Invoice No. 4010, Arteraft to G. H. Baker Shoes, 3/26/58		G. E. — 540
100	Arteraft Price List, December 17, 1957, Caramia	*** JOSSE 1985	G. E. — 541
101	Invoice No. 4083, Arteraft to Wise Shoe Co., 3/29/58		G. E. — 542
102	Invoice No. 4165, Arteraft to Cashion's Shoes, 4/3/58		G. E. — 543
103	Invoice No. 4225, Arteraft to Wohl, 4/8/58		G. E. — 544
104	Invoice No. 4492, Arteraft to Jack Freedman, 4/28/58		G. E. — 545
105	Invoice No. 4526, Arteraft to Jack Freedman, 4/30/58		G. E. — 546
106	Invoice No. 4578, Arteraft to G. H. Baker 5/5/58		G. E. — 547
107	Memo, dated February 19, 1954, from Johnston to Witosky (re B&M Boot- ery), with reply note	8	G. E. — 548
108	Undated memo, by Lagieski re B&M Bootery		G. E. — 549
109	Memo, dated January 31, 1955, from Johnston to Curtis and Astrath		G. E. — 551
110	Memo, dated March 11, 1955, from Johnston to Lagieski		G. E. — 552
.111	Letter, dated March 11, 1955, from J. R. Johnston to B&M Bootery		G. E. — 553
112	Letter, dated March 16, 1955, from B&M Bootery (McKinnen) to Johns- ton of Brown	1122	G. E. — 554
113	Brown, inter-company correspondence, dated April 6, 1955 from Lagieski to Johnston		G. E. — 555

Exhibit No.		Original	Print
114	Letter, dated April 12, 1955 from Johnston to B&M Bootery (McKin- nen)	er .	G. E. — 556
115	Brown inter-company correspondence, dated January 15, 1955, from Robbe to Johnston, regarding Laurel Shoes		G. E. — 557
116	Letter, dated January 19, 1955, from Johnston to Robbe regarding Laurel Shoes		G. E. — 558
117	Letter, dated June 6, 1955, from Johnston to Laurel Shoes		G. E. — 559
118	General memo, dated June 6, 1955, from Johnston to all division heads, re- garding Laurel Shoes		G. E. — 560
119	Memo, dated May 24, 1955 from Moore to Mitchell regarding Revell and Mc- Call's, Emporia, Kansas		G. E. — 561
120	Letter, dated June 1, 1955, from Mitchell to Johnston regarding Revell and McCall		G. E. — 562
121	Letter, dated June 6, 1955, from Johnston to Revell and McCall		G. E. — 564
122	Letter, dated June 27, 1955, from Roessell to Bergman (of Sweetbriar Shop, Lubbock, Texas)	564	G. E. — 565
123	Letter, dated June 7, 1956, from Ed Bergman (of Sweetbriar Shop, Lub- bock, Texas) to Sabadie	565	G. E. — 566
124	Letter, dated August 4, 1953, from Mc- Carthy to Mueller	566	G. E. — 567
125	Letter, dated August 4, 1953, from Mc- Carthy to Mueller	567	G. E. — 568
126	Letter, dated November 24, 1954, from Charlie (Conn) to A. P. (Mueller)	568	G. E. — 569

Exhibit No.	Title or Description of Exhibit	Original	Print
127	Letter, dated February 7, 1955, from Solar to Wood		G. E. — 571
128	Letter, dated March 16, 1955, from Gamble to Smith		G. E. — 572
129	Letter, dated May 11, 1955, from Solar to Walters		G. E. — 573
130	Letter, dated May 16, 1955, from Solar to Wood		G. E 574
131	Letter, dated May 18, 1955, from Wood to Solar		G. E. — 575
132	Letter, dated May 27, 1955, from Solar to Walters		G. E. — 576
133	Letter, dated June 2, 1955, from Solar to Wood		G. E. — 577
134	Letter, dated September 27, 1955 from O'Rourks to Hussey		G. E. — 578
135	Letter, dated December 2, 1955, from Solar to Walters		G. E. — 579
136	Letter, dated February 2, 1956, from Conn to Patrick		G. E. — 580
137	Letter, dated February 6, 1956, from McCarthy to Welch		G. E 581
138	Letter, dated February 17, 1956, from Barry to Johnson		G. E. — 584
139	Letter, dated February 28, 1956, from (Whitehead) Regal to Gamble		G. E. — 585
140	Letter, dated March 7, 1956, from Barry to Johnson		G. E. — 587
141	Letter, dated March 9, 1956, from Mc- Carthy to Welch		G. E. — 589
142	Letter, dated March 13, 1956, from		G E — 590

Exhibit No.		Original	Print
143	Letter, dated April 17, 1956, from Mc- Carthy to Welch		G. E. — 592
144	Letter, dated April 23, 1956, from Welch to Conn		G. E. — 593
145	Letter, dated June 13, 1956, from Mc- Carthy to Welch		G. E 595
146	Letter, dated September 17, 1956, from McCarthy to Welch		G. E. — 596
147	Price Distribution on Sales by Wohl of Shoes Obtained from Brown-1955		G. E. — 597
148	Shoe Sales by Pairs by City (Men's, Women's, and Children's)		G. E. — 600
149	Breakdown of Shoe Sales by City, Dollars and Pairs (for Abilene, Texas to Corning, N. Y.)		G. E. — 605
150	G. R. Kinney Pair Sales by City—1955 (Plaintiff's Proposed Stipulation No. 32)		G. E. — 606
151	Kinney Wholesale Sales and Purchases 1955, 1956, and 1957		G. E. — 619
152	Brown-Kinney Relationship (Defendant's Answer to Interrogatory, Group VII, No. 7)		G. E. — 620
152A	Plaintiff's Comment on Plaintiff's Ex- hibit 152		G. E. — 623
153	G. R. Kinney Shipments from outside vendors 1954	623	G. E. — 624
155	Letter, dated June 8, 1956, from Welch to McCarthy	630	G. E. — 631
156	Letter, dated June 17, 1956, from Sabadie to Sweeney	631	G. E. — 632

INDEX XXIX-

Exhibit No.	Title or Description of Exhibit	Original	Print
157	Total Returns, Assets, and Net Worth of Firms in "Footwear Except Rub- ber" Industry, 1947 and 1955	•	G. E. — 634
158	Comparison of Net Worth Figures for Firms in "Footwear Except Rubber" Industry, 1947 and 1955	,	G. E.
159	Comparison of Total Assets Owned by Firms in "Footwear Except Rubber" Industry, 1947 and 1955		G. E. — 637
160	Price Ranges of Wohl Brand Name Women's Shoes as % of Total		G. E. — 638
161	Letter, dated April 23, 1954, from Anderson to Whitehead		G. E. — 640
162	Letter, dated May 22, 1954, from White- head to Anderson		G. E. — 642
163	Sales of Unbranded Shoes by Brown's Make-up Divisions to Kinney Com- petitors—1955		
164	Advertising Budgets of Brown Selling Divisions, Fiscal 1950-1955 (Defen- dant's Answer to Interrogatory, Group VII, No. 5)		G. E. — 645
165	Advertising Expenditures of Wohl, 1950-1955 (Defendant's Answer to In- terrogatory, Group VII, No. 5B)		G. E. — 648
166	Radio Script-G. R. Kinney	650	G. E. — 651
167	Television Script for Buster Brown	653	G. E. — 654
168	Television Script for Robin Hood	661	G. E. — 663
169	Ardmore, Oklahoma, Advertisements of Kinney Shoe Store and Hill's Shoes		G. E. — 666
170	Wohl Advertising 1955-1956	666	G. E. — 668

Exhibit No.	Title or Description of Exhibit	Original	Print
171	Footwear News, 3 pages (October 28 1955, page 14, December 6, 1957, page 14, June 20, 1958, page 20)	2	G. E. — 680
172	Regal (Curtis) Advertisements, 1956		G. E. — 684
173	Common customers of Brown and Kin-	1272372	G. E. — 690
174	Number of Shoe Manufacturers and Units Representing 95% of Industry		G. E. — 694
175	National Production of Shoes (excluding slippers) 1954 and 1955		G. E. — 695
176	Advertisements, Springfield, Missouri; Kinney and Vanity Slipper Shop, 1955		G. E. — 696
177	Advertisements, Various Cities, Wohl and Kinney, 1955		G. E. — 746
178	Advertisements, Kinney, 1955 to 1958	816	G. E. — 817
179	Advertisement, Various Cities, Wohl and Kinney, 1955		G. E. — 824
180	Advertisements, Regal, 1955 to 1956	861	G. E. — 863
181	Shipments by U. S. Rubber to Brown Franchise Dealers, 1951-1955	894	G. E. — 896
188	Brown Sales to Penney Outlets in Kinney Cities, 1955	895	G. E. — 898
189	Penney Payment Statement for Brown	905	G. E. — 908
204	Enzel (Division of Kinney) Competitors	906	G. E. — 909
205	Defendant's Admissions (partial)	907	G. E. — 911
206	Total National Distribution of Men's, Women's and Children's Shoes by Brown and Kinney, by Retail Price (1955)	919	G. E. — 925
	(4000)	010	U. 11 ULU

index xxxi

Exhibit No.	Title or Description of Exhibit	Origina	al Print
207	Share of Industry Shipments by Largest Companies, 1954 compared wit 1947. Footwear Except Rubber	h	G. E. — 928
208	Kinney Total Sales 1955 of Shoes Obtained from Outside Sources		G. E. — 929
209	History of Brown Production, 1951-195		G. E. — 930
210	Retail Distribution of Wohl and Kinne, Shoes by Price by City-1955	y 961	G. E. — 966
211	National Pair and Dollar Sales o Brown and Kinney-1955		G. E.—1159
212	Retail Outlets Opened 1956, 1957 and to May 1, 1958, by Brown, Kinney, Regal and Wohl	_ 1155	G. E.—1161
213	Potential Increase in Brown's Whole- sale Market in Kinney Cities by Acquisition of Kinney (Fiscal 1955)	_ 1188	G. E.—1194
	VOLUME 3		
214	Combined Distribution of Brown, Wohl, Regal and Kinney Shoes by City (1955)	1208	G. E. — 1214
215	Brown Production 1955 by Factory Price. (Plaintiff's Proposed Stipu- lation No. 43)	1235	G. E. — 1241
216	Comparison of Brown Production (1955) with Kinney Purchases (1954) by Brown Factory Price and Kinney Purchase Price	1244	G. E. — 1250
217	Chart 1955	1258	G. E. — 1264
218	Brown Production by Factory 1951- 1955. Interrogatory Answer (Ex. 35a)	1259	G, E. — 1265

Exhibit No.	Title or Description of Exhibit	Origin	al Print
219	The Story of Brown (Speech of Clark R. Gamble before N. Y. Security	A CONTRACTOR OF THE CONTRACTOR	
	Analysts, Feb. 3, 1955)	1289	G. E. — 1295
220	Brown Annual Report—1951	1299	G. E. — 1303
221	Brown Annual Report-1956	1315	G. E. — 1319
222	Brown Advertising (Tear Sheets)	1335	G. E. — 1339
223	Wohl Advertising Brochure	1344	G. E. — 1348
224	Wohl Advertising Brochure	1363	G. E. — 1367
225	Footwear News (New Era Begins)	1386	G. E. — 1390
226	Footwear News (Smartaire)	1390	G. E. — 1394
227	Kinney Competition by City	1391	G. E. — 1395
234	Chart: Distribution of Median Income of Families and Unrelated Individuals for 247 Cities with Brown & Kinney Shoe Sales	1425	G. E. — 1429
235	Chart: Distribution of Average Fe- male Percent of Population for 269 Cities with Brown and Kinney sales	1426	G. E. — 1430
236	Chart: Average Percent of Popula- tion Over 15 Years of Age for 269 Cities with Brown and Kinney sales	1427	G. E. — 1431
237	Effect of Exclusion of Brown Selling Division and Wohl Wholesale Sales on Defendants' Percentage of In- dustry Sales, by County or S.M.A., and City	1429	G. E. — 1433
237A	Plaintiff's Adjustments to Defendant's Exhibit 6U	1434	G. E. — 1438
238	Comparison of Brown-Kinney per- centage Sales by Cities, Counties and SMA	1438a	G. E. — 1443

index xxxiii

	5.00		
Exhibit No.		Origina	ıl Print
239	Chart: Comparison of Brown-Kinney Percent of Sales 119 Cities		G. E. — 1448
240	Comparison of Percentage Distribu- tion of Brown-Kinney Sales in Geo- graphical Areas	1438g	G. E. — 1449
241A	Regal's Sales by Retail Stores, Fiscal 1954. (Defendant's response to De- partment of Justice Questionnaire, September 1955)		
241B	Shipments into Selected Cities by Brown Selling Divisions, 1954-1955	1446	G. E. — 1457
241C	Shipments by Brown Selling Division to Five Largest Customers in Se- lected Cities—1954. (Interroga- tory Answer)	1551	G. E. — 1562
	VOLUME 4		ige:
241D	Wohl, Wholesale Sales to Wohl Plan Accounts, 1949 - 1954. (Interroga- tory Answer)	1999	G. E. — 2014
	VOLUME 5	3.00	
241E	Wohl Wholesale in Selected Cities— 1954. (Interrogatory Answer) ——	2351	G. E. — 2366
242	Estimates of Footwear Sales in Selected Areas	2792	G. E. — 2807
243	Shoe Store Sales-All Shoe Stores and Multiunits, 1948-1954	2806	G. E. — 2821
244	Shoe Store Sales—Excluding Leased Departments of Shoe Store Firms, All Shoe Stores and Multiunits, 1948-1954	2807	G. E. — 2822
245 A-D	Photographs of Kinney and Vanity Slipper Shops in Springfield, Mis- souri	2809	G. E. — 2824

Exhibit No.	Title or Description of Exhibit	Origin	al Print
246	Kinney Competition, Springfield, Missouri	2813	G. E. — 2828
246A	J. C. Penney, Sears Roebuck, and Montgomery Ward as Competitors of Kinney Stores	2814	G. E. — 2829
246B	J. C. Penney, Sears Roebuck and Montgomery Ward as Competitors of Wohl Departments	2818	G. E. — 2833
247	Retail Competitors of Kinney	2820	G. E. — 2835
248	Thom McAn Stores as Competitors of Kinney	2830	G. E. — 2845
249-A-B	Regal Competitors	2835	G. E2850
250	Sales to Kinney by Firms Where Such Sales Were Over 30% of Those Firms Total Production	2837	G. E. — 2852
251	Deposition of Abe Rosenberg	2839	G. E. — 2854
252	Comparison of Brown Production (1955) With Kinney Purchases (1954) by Brown Wholesale Price and Kinney Purchases Price	2864	G. E. — 2868
253	Pair Sales by Brown Selling Divi- sions to Independent Retailers, Franchise Accounts and Whole- salers by Given City and by Type, for Women's and Children's Shoes	9000	C F 9070
254	-1955 Computed Retail Price of Non-		G. E. — 2879
	Branded Shoes	2888	G. E. — 2881
255	Brown Advertisement—"Meet our Board of Directors"	2889	G. E. — 2882

INDEX XXXV

DEFENDANT'S EXHIBITS VOLUME 1

Exhibit No.	Title or Description of Exhibit	Origina	l Print .
G	Kinney Consolidated Balance Sheet	2890	D. E. — 1
н	Kinney Loan Agreement with Massa- chusetts Mutual Life Ins. Co., March 1, 1951	2894	D. E. — 6
I	Kinney Loan Agreement with Bankers Trust Co., March 1, 1951	2909	D. E 33
K	Montgomery Ward Net Sales and Lo- cation of Retail Branches with Shoe	9096	D.F. 51
	Departments—Fiscal 1955		
L	Sears Roebuck Net Sales—1955	2937	D. E. — 65
M	Sears Roebuck Retail Store Directory, June 1, 1956	2942	D. E 68
N	Wohl Outlets Closed, May 1, 1956— May 1, 1958	3028	D. E. — 154
0	Wohl Retail Outlet by Size of City, 1955 and 1958	3031	D. E. — 157
P-1	Wohl Retail Shoe Sales by Department in Detail—1955	3032	D. E. — 158
	VOLUME 2	*	36 4 (4)
P-2	Wohl Retail Shoe Sales by Department in Detail—1955	× ×	. %
	VOLUME 3	12.0	ë
P-3	Wohl Retail Shoe Sales by Department in Detail—1955	4028	D. E. — 1154
₩6 4.0	VOLUME 4		9,000
P-4	Wohl Retail Shoe Sales by Department in Detail—1955	4429	D. E. — 1555

VOLUME 5

	VOLUME 5		
Exhibi No.	t Title or Description of Exhibit	Origin	nal Print
P-5	Wohl Retail Shoe Sales by Department in Detail—1955	5062	D. E. — 2188
	VOLUME 6		
P-6	Wohl Retail Shoe Sales by Department in Detail—1955	5570	D. E. — 2696
	VOLUME 7		
Q.	Wohl Plan Accounts closed, October 31, 1955—May 1, 1958	6114	D. E. — 3240
U-1	USMC Unit Charge Lessees Who Were Shoe Manufacturers as of January 1, 1955	6119	D. E 3245
U-2	USMC Rental Lessees Who Were Shoe Manufacturers as of January 1, 1955	6137	D. E 3280
U-3	55 Shoe Manufacturers—Not Lessees —as of January 1, 1955	6141	D. E. — 3287
U-4	USMC Unit Charge Lessees (Government Institutions) Who Manufacture Shoes as of January 1, 1955	6142	D. E. — 3289
V	Summary of Material on Capitaliza- tion in United Shoe Machinery File	6143	D. E. — 3290
W	J. C. Penney Company Retail Sales and Outlets—1955	6145	D. E. — 3292
X	Kinney Manufacturing Division Gross Sales, 1955-58	6152	D. E. — 3299
Y	Kinney Manufacturing Division Price Lines by Factory and Type, 1955	6153	D. E. — 3300
\boldsymbol{z}	Kinney Make Up Sales to Selected Customers 1952-54	6154	D. E. — 3301
AA	Kinney production Sales by Pairs, type and Price—1955	6160	D. E. — 3307

Exhibit No.	Title or Description of Exhibit	Origina	al Print
BB	Retail Trade: 1954—Sales Size of Establishment—United States—Shoe Stores	6188	D. E.
CC	Shoe Store Sales; All Shoe Stores and Multiunit Firms with 11 or more Stores: 1951-1957	6189	D. E. — 3336
DD	Distribution of Footwear Sales, By Type of Outlet, 1948 and 1954	6190	D. E. — 3337
EE	Brown and Kinney Retail Sales of Footwear, 1954	6191	D. E. — 3338
FF	U. S. Imports of Shoes by Types, 1947-1956	6193	D. E. — 3340
GG) HH)	Size Distribution of Establishments Producing Footwear Except Rubber 1947 and 1954	6196	D. E. — 3343
II	Production Estimate of Canvas Up- per, Rubber Soled Footwear	6198	D. E: — 3345
JJ	Production in Thousand Pairs of Shoes and Slippers Excluding Rubber and Including Canvas Upper, Rubber Soled, 1947-1956: All Producers and Brown, General, Endicott-Johnson, International	6199	D. E. — 3346
KK	Production Share of Shoes and Slip- pers, Excluding Rubber and Includ- ing Canvas Upper, Rubber Soled, 1947-1956: Industry and Brown, General, Endicott-Johnson, Interna- tional	P A	8
LL .	Production of Leather Shoes and Slip- pers in U. S. for Selected Years, 1939-1956, arrayed by Company Class	6202	D. E. — 3349

Exhi No		Origin	nal Print
MM	Facts for Industry: National Produc- tion of Footwear, by Type, in Pairs and Factory Price Range Distribu- tion	6203	ъ.
NN	Wohl Retail Sales All Cities—Detail 1955	6206	D. E. — 3353
	VOLUME 8		
00	Wohl Retail Sales by Outlet—Total, 1951-1955	6657	D. E. — 3805
PP	Wohl Retail Sales by Outlet—Shoes, 1951-1955	6678	D. E. — 3826
QQ	Wohl Retail Sales by Outlet—Sundries 1951-1955	6711	D. E. — 3859
RR	Wohl's Wholesale Sales to Wohl Plan Accounts, in Detail, 1955	6743	D. E. — 3892
SS	Wohl Purchases (Major Suppliers) 1950-1955	7167	D. E 4316
TT	Wohl Purchases (Minor Suppliers) 1953-1955	7190	D. E. — 4339
UU	Brown Sales to Wohl by Selling Division 1950-1953	7207	D. E 4356
VV	Wohl Wholesale Sales by Brand and Price 1955 (Calendar Year)	7209	D. E 4358
ww	Brown Advertising Budgets or Expenditures (Fiscal 1950-1955)	7232	D. E. — 4381
XX	Kinney Raw Materials Purchases by Major Suppliers in Detail—1954	7235	D. E 4384
YY	Kinney Raw Materials Purchases, To- tal Dollars by Category—1954	7240	D. E. — 4389
$\mathbf{Z}\mathbf{Z}$	Kinney Purchases by Supplier in De- tail—1954	7242	D. E. — 4391

INDEX XXXIX

VOLUME 9

Exhibit No.	Title or Description of Exhibit	Origin	al Print
AAA	Kinney Shoe Purchases by Supplier-1955		D. E. — 4573
BBB	Kinney Production, Sales and Shipments, 1952-1954	7444	D. E. — 4595
.CCC	Separation of Brown Franchise Stores, October 31, 1955 to May 1, 1958	7450	D. E. — 4600
.DDD	Brown Make Up Sales to Selected Customers, 1954-1955	7457	D. E. — 4608
TTT	Brown Production History, 1951-	7463	D. E. — 4612
טטָט	Brown Production, by Factory, for Each Selling Division 1951- 1955 (Fiscal)	7501	D. E. — 4639'
vvv	Brown Production of Brown Branded Shoes, by Factory, by Brand, Type and Retail Price— 1955	7 559	D. E. — 4681
www	Brown Production of Wohl Branded Shoes, by Factory, by Brand, Type and Retail Price— 1955	7594	D. E. — 4716
XXX	Brown Production of Shoes (Other Than Brown or Wohl Brands) by Factory, Selling Division, Type and Factory Price—1955		D. E. — 4734
YYY-1	Brown Selling Division Sales 1954-1955	7633	D. E. — 4755
YYY-2	Brown Production of Brown Branded Shoes by Selling Divi- sion, Type and Retail Price 1955	7637	D. E 4759
YYY-3	Brown Production of Wohl Branded Shoes by Wohl Brand, Type and Retail Price 1955	7652	D. E. — 4775

xl

Exhibit No.	Title or Description of Exhibit	Origin	al Print
YYY-4	Brown Production of Shoes Other Than Wohl or Brown Brands by Selling Division, Type and Price 1955	7661	D. E. — 4784
ZZZ-1	Brown's Private Brand Shipments, Capitol, Mound City, and United Men's Divisions, 1954	7674	D. E. — 4798
ZZZ-2	Brown's Private Brand Shipments, Capitol, Mound City, and United Men's Divisions, 1955	7722	D. E. — 4846
AAAA	Brown Supply Divisions Purchases 1955 (Fiscal)	7768	D. E. — 4892
BBBB	Brown Supply Divisions Ship- ments and Sales 1955 (Fiscal)	7785	D. E. — 4909
cccc	Brown Outside Purchases 1950-	7806	D. E 4930
DDDD-1	Sales to Brown Franchise Stores By Each Selling Division (Except Accessories) 1948 - 1955 (Fiscal) (2 volumes)	7815	D. E. — 4939
	VOLUME 10		
DDDD-2	Sales to Brown Franchise Stores By Each Selling Division (Except Accessories) 1948-1955 (Fiscal) (2 volumes)	8176	D. E. — 5300
EEEE	Regal's Production and Shipments 1955 (Fiscal)	8529	D. E. — 5653
FFFF	Regal Purchases of Raw Materials, Regal Shoe Mfg. Co. 1952-1955	8551	D. E. — 5675
GGGG	Regal's Sales by Retail Stores 1954-1955 (Fiscal)	8564	D. E 5688
нднн	Regal's Purchases, Men's, Women's and Children's Shoes (Excluding Casuals and Slippers) 1955 (Fiscal)	8571	D, E 5695

INDEX xli

Exhibit No.	Title or Description of Exhibit	Origin	al Print
IIII	Regal's Purchases, Slippers and Casuals 1955 (Fiscal)	8581	D. E. — 5705
JJJJ	Regal Purchases of Men's Shoes by Supplier in Detail 1955 (10 months to Oct. 31)	8583	D. E. — 5707
KKKK	Regal Purchases of Women's Shoes by Supplier in Detail 1955 (Fis- cal)	8592	D. E. — 5716
LLLL	Regal Wholesale Sales 1951-1955	8605	D. E. — 5729
MMMM	Regal Retail Sales 1955 by Store in Pairs by Price Class Men's and Women's Shoes	8624	D. E. — 5748
NNNN ·	Kinney Retail Sales By Store 1952-1955	8657	D. E. — 5780
0000	Enzel Sales By Retail Store 1952- 1955	8696	D. E. — 5819
PPPP-1 and 2	Kinney Retail Sales by Store in Detail 1955 (Calendar)	8698	D. E. — 5821
	VOLUME 11		× ,*
PPPP 3 to 16	Kinney Retail Sales by Store in Detail 1955 (Calendar)	8739	D. E 5859
,	VOLUME 12	•	
QQQQ	Kinney Retail Sales 1955, by Department, by Store in Pairs by Price Class	9216	D. E. — 6337
92 7 927-03	VOLUME 13		*
RRRR	Kinney Retail Sales 1955 by Department in Pairs by Price Class	9778	D. E. — 6899
SSSS	Kinney Wholesale Sales by Purchaser in Detail 1954 (Calendar)	9796	D. E. — 6917
	(Valendar)	0100	D. H 0011

Exhibit No.	Title or Description of Exhibit	Origin	al Print
TTTT	Brown Common Stock Issued in Acquisitions 1951-1956	9931	D. E 7052
טטטט	1954 Shoe Outlets; Approximate Number and Sales by Type of Outlet	9933	D. E. — 7054
vvvv	Retail Sales of Shoe Chains with Eleven or More as of 1948 as a per cent of Total Retail Shoe Sales, 1948 and 1951- 1955	9934	D. E. — 7055
www	Dollar Shipments of Shoes and Slippers Except Rubber by Manufacturing Establish- ments, 1954	9935	D. E. — 7056
XXXX	Shoes and Slippers Except Rubber by Manufacturing Establishments, 1954	9936	D. E. — 7057
YYYY	Number of Shoe Stores Classi- fied by Sales Size, 1954	9937	D. E. — 7058
ZZZZ	U. S. Retail Sales of Single and Multiunit Shoe Stores, 1954	9938	D. E. — 7059
AAAA	Location of Retail Shoe Outlets —Greater St. Louis	9939	D. E. — 7060
BBBBB	Location of Retail Shoe Outlets Downtown St. Louis	9940	D. E. — 7061
CCCCC 1 2 3	Location of Retail Shoe Outlets —Brentwood, Westroads ——	9941	D. E. — 7062
DDDDD 1	Location of Retail Shoe Outlets —Crestwood Plaza	9944	D. E. — 7065
EEEEE 1 2	Location of Retail Shoe Outlets -Hampton Village	9946	D. E. — 7067

Exhibit No.	Title or Description of Exhibit .	Origina	l Print
FFFFF 1	Location of Retail Shoe Outlets -Northland		e .*
GGGGG 1 2 3	Location of Retail Shoe Outlets —St. Ann's	9950	D. E 7071
нинин 1	TRATECHNICAL	9953	D. E. — 7074
IIIII	Letter, February 6, 1956, Patrick to Conn.		D. E. — 7076
11111	Letter, February 2, 1956, Conn. to Patrick	9956	D. E. — 7077
KKKKK 1	Chart entitled "Percentage Dis- tribution of Brown and of Kinney Pairage Production by Age-Sex Classes, 1955"		D. E. — 7078
QQQQQ	Table entitled "Percentage Dis- tribution of Brown and Kin- ney Pairage Production by. Age-Sex Classes, 1955"		D. E. — 7079
KKKKK 2	Chart entitled "Brown and Kin- ney Share of U. S. Pairage Production by Census Cate- gories of Production and for 1955"	.r	D. E 7080
PPPPP	Table entitled "Production and Production Share by Types of Footwear, Industry, Brown and Kinney"	9963	D. E. — 7081
KKKKK 3	Chart entitled "Men's Other Than Work Shoes Brown and Kinney Share of U. S. Pair- age Production by Manufac- turer's Selling Price, 1955"	9964	D. E. — 7082
RRRRR	Table entitled "Men's Other Than Work 1955 Production and Production Share by Price Class, Industry, Brown and Kinney"	9965	D. E. — 7083

xliv INDEX

Exhibit No.	Title or Description of Exhibit	Origin	al Print
KKKKK 4	Chart entitled "Men's Work Shoes Brown and Kinney Share of U.S. Pairage Pro- duction by Manufacturer's Selling Price, 1955"	9966	D. E. — 7084
SSSSS	Table entitled "Men's Work Shoes 1955 Production and Production Share by Price Class, Industry, Brown and Kinney"	9967	D. E. — 7085
KKKKK 5	Chart entitled "Women's Shoes Brown and Kinney Share of U. S. Pairage Production by Manufacturer's Selling Price, 1955"	9968	D. E. — 7086
ТТТТТ	Table entitled "Women's Shoes 1955 Production and Produc- tion Share by Price Class, In- dustry, Brown and Kinney"	9969	D. E. — 7087
KKKKK 6	Chart entitled "Youths' and Boys' Shoes Brown and Kin- ney Share of U.S. Pairage Production by Manufac- turer's Selling Price, 1955"	9970	D. E. — 7088
טטטטט	Table entitled "Youths' and Boys' Shoes 1955 Production and Production Share by Price Class, Industry, Brown and Kinney"	9971	D. E. — 7089
KKKKK 7	Chart entitled "Misses' and Children's Shoes, Brown and Kinney Share of U.S. Pair- age Production by Manufac- turer's Selling Price, 1955"	9972	D. E. — 7090
VVVV	Table entitled "Misses' and Children's Shoes 1955 Pro- duction and Production Share by Price Class, Industry, Brown and Kinney"		D. E. — 7091
	Divin and Linney	0010	2, 21, 2001

INDEX

Exhibit			e e e
No.	Title or Description of Exhibit	Origin	al Print
KKKKK 8	Chart entitled "Infants' and Babies' Shoes, Brown and Kinney Share of U. S. Pair- age Production by Manufac- turer's Selling Price, 1955".	9974	D. E. — 7092
wwww :	Table entitled "Infants and Ba- bies Shoes 1955 Production and Production Share by Price Class, Industry, Brown and Kinney"	9975	D. E. — 7093
KKKKK 9	Chart entitled "Proportion of Brown and Kinney Pairage Production in Excess of a Se- lected Manufacturer's Price, 1955"	9976	D. E. — 7094
YYYYY	Table entitled "Proportion of Brown and Kinney Pairage Production in Excess of a Se- lected Manufacturer's Price, 1955"	9977	D. E. — 7095
KKKKK 10	Chart entitled "Shoe and Price Classes Where in 1955 Brown-Kinney Pairage Pro- duction Share Exceeded 10 Percent of the Industry"	(3)	D. E. — 7096
ZZZZZ	Table entitled "Shoe and Price. Classes Where in 1955 Brown-Kinney Pairage Production Share Exceeded 10 Percent of the Industry"	 9979	D. E. — 7097
KKKKK 11	Chart entitled "Shoe and Price Classes Where in 1955 Brown-Kinney Pairage Pro- duction Share Exceeded 5 Percent of the Industry"	9980	D. E. — 7098

Exhibit No.	Title or Description of Exhibit	Origin	al Print
AAAAA	Table entitled "Shoe and Price Classes Where in 1955 Brown-Kinney Pairage Pro- duction Share Exceeded 5 Percent of the Industry"	9981	D. E. — 7099
KKKKK 12	Chart entitled "Instances When Merger Increased Pairage Production Share of the More Important Producer by One Percent or More"	9982	D. E. — 7100
вввввв	Table entitled "Instances When Merger Increased Pairage Production Share of the More Important Producer by One Percent or More"	9983	D. E. — 7101
KKKKK 13	Chart entitled "Men's Other Than Work Shoes Brown and Kinney Share of U.S. Pair- age Production, by Manufac- turer's Selling Price and Brown-Kinney Shoe Type"	9984	D. E. — 7102
ccccc	Table entitled "Men's Other Than Work, 1955, Industry Production by Price Class Brown and Kinney Production by Price Class and Shoe Type"	9985	D. E. — 7103
DDDDDD	Table entitled "Men's Other Than Work, 1955 Brown and Kinney Production Share by Price Class and Shoe Type"	9986	D. E. — 7104
KKKKK 14	Chart entitled "Women's Shoes Brown and Kinney Share of U. S. Pairage Production, 1955 by Manufacturer's Selling Price and Brown-Kinney Shoe Type"	9987	D. E. — 7105

Exhibit No. 7	Title or Description of Exhibit	Origina	Print'
EEELEE	Table entitled "Women's Shoes, 1955 Industry Production by Price Class Brown and Kin- ney Production by Price Class and Shoe Type"	9	D. E. — 7106
FFFFFF	Table entitled "Women's Shoes, 1955, Brown and Kinney Pro- duction Share by Price Class and Shoe Type"	9989	D. E. — 7107
KKKKK 15	Chart entitled "Youths' and Boys' Shoes Brown and Kin- ney Share of U. S. Pairage Production, 1955 by Manu- facturer's Selling Price and Brown-Kinney Shoe Type"	9990	D. E. — 7108
gġgggg	Table entitled "Youths' and Boys' Shoes, 1955 Industry Production by Price Class Brown and Kinney Production by Price Class and Shoe Type"	9991	D. E. — 7109
няннян .	Table entitled "Youths' and Boys' Shoes, 1955 Brown and Kinney Production Share by Price Class and Shoe Type"	•	D. E. — 7110
KKKKK 16	Chart entitled "Misses' and Children's Shoes Brown and Kinney Share of U. S. Pair- age Production, 1955 by Man- ufacturer's Selling Price and Brown-Kinney Shoe Type"	9993	D. E. — 7111
111111	Table entitled "Misses' and Children's Shoes, 1955 Indus- try Production by Price Class Brown and Kinney Production by Price Class and Shoe Type"		D. E. — 7112

Exhibit No.	Title or Description of Exhibit	Origina	al Print
JJJJJJ	Table entitled "Misses' and Children's Shoes, 1955 Brown and Kinney Production Share by Price Class and Shoe Type"	9995	D. E. — 7113
KKKKK	Table entitled "Brown-Kinney 1955 Production Overlap in Excess of 1% of Combined Pairage Production by Age- Sex, Price Class and Shoe Type"	9996	D. E. — 7114
LLLLL 1	Chart entitled "Pairage Production of Shoes and Slippers Excluding Rubber and Including Canvas-Upper Rubber Soled Shoes, 1947_and 1950-1956"	9998	D. E. — 7116
LLLLLL	Table entitled "Production (Thousand Pairs) of Shoes and Slippers, 1947, 1950-1956 Excluding Rubber and Including Canvas Upper, Rubber Soled; Industry and Largest Four Producers"	9999	D. E. — 7117
LLLLL 2	Chart entitled "Shares of Total Pairs of Shoes and Slippers Produced for Selected Years 1947-1956"	10000	D. E. — 7119
мммммм	Table entitled "Production Pairage Share of Shoes and Slippers, Excluding Rubber and Including Canvas Upper, Rubber-Soled, 1947, 1950- 1956: Industry and Largest Four Producers"	10001	D. E. — 7120

INDEX xlix

Exhibit No.	Title or Description of Exhibit	·Origina	l Print
LLLLL 3	Chart entitled "Shares of Total Pairs of Leather Shoes and Slippers Produced"		
NNNNNN .	Table entitled "Production of Leather Shoes and Slippers in U. S. for Selected Years, 1939-1956, Arrayed by Com- pany Class Pairage Produc- tion Share"	*	D. E. — 7122
LLLLL 4	Chart entitled "Shares of Total Pairs of Shoes and Slippers Produced for Selected Years 1947-1956"	10004	D. E. — 7123
000000	Table entitled "Production Pairage Share of Shoes and Slippers, Excluding Rubber and Including Canvas Upper, Rubber-Soled 1947, 1950- 1956, Brown and Others of Largest Four Producers"		
LLLLL 5	Chart entitled "Shares of Total Pairs of Shoes and Slippers Produced by Each of the Largest Four Manufacturers, 1947, 1950-1956"	***	D. E. — 7125
PPPPPP	Table entitled "Production Pairage Share of Shoes and Slippers, Excluding Rubber and Including Canvas Upper, Rubber-Soled; 1947, 1950-		
LLLLL 6	Chart entitled "U. S. Imports of Footwear, 1947-1956"	•	
QQQQQQ	Table entitled "U. S. Imports of Shoes by Types, 1947-1956"		

1 INDEX

Exhibit No.	Title or Description of Exhibit	Origins	al Print
LLLLL 7	Chart entitled "Number of Es- tablishments Producing Foot- wear Except Rubber"		D. E. — 7129
RRRRRR	Table entitled "Establishments Producing Footwear Except Rubber by Employee Size Classes, 1947 and 1954"		D. E. — 7130
LLLLL 8	Chart entitled "Value Added by Manufacture of Establish- ments Producing Footwear Except Rubber"	10012	D. E. — 7131
SSSSSS	Table entitled "Value Added by Manufacture of Establish- ments Producing Footwear Except Rubber by Employee Size Classes, 1947 and 1954"	10013	D. E. — 7132
MMMMM 1	Chart entitled "Major Channels of Shoe Distribution"	10017	D. E. — 7133
MMMMM 2	Chart entitled "1954 Shoe Outlets, Approximate Number and Sales by Type of Outlet"	10018	D. E. — 7134
TTTTTT	Table entitled "Shoe Outlets: Approximate Number and Sales by Type of Outlet"	10019	D. E. — 7135
ммммм з	Chart entitled "Estimated Shoe Sales of All Outlets, 1954 Fort Wayne Standard Metro- politan Area"	10021	D. E. — 7136
vvvvv	Table entitled "Estimated Shoe Sales of All Outlets, 1954 Fort Wayne Standard Metro- politan Area"	10022	D. E. — 7137
MMMMM 4	Chart entitled "Brown-Kinney Market Share, 1954 Fort Wayne Standard Metropoli- tan Area"	10023	D. E. — 7138

index li

Exhibit No. T	Pitle or Description of Exhibit.	Origina	l Print
	Table entitled "Brown-Kinney Market Share, 1954 Fort Wayne Standard Metropoli- tan Area"	••	<u>a</u> a
MMMMM 5	Chart entitled "Estimate of Brown-Kiuney Retail Sales Share Major Differences in Method of Plaintiff and De- fense"		D. E. — 7140
XXXXXX .	Table entitled "Estimate of Brown-Kinney Retail Sales Share Major Differences in Method of Plaintiff and De- fense"	10026	D. E. — 7141
MMMMM 6	Chart entitled "Retail Footwear Sales in Dollars, 1954 Sales of Brown-Kinney and Others"	10027	D. E. — 7142
YYYYYY	Table entitled "Aggregate Foot- wear Sales, Brown-Kinney and U. S., 1954, by Brown- Kinney Overlap and Non- Overlap Locations"	8	D. E. — 7143
ZZZZZZ	Table entitled "Brown and Kinney Retail Sales of Footwear, 1954"		D. E. — 7144
MMMMM 7	Chart entitled "U.S. Retail Footwear Sales, 1954"		D. E. — 7146
ΑΛΛΑΛΛ	Table entitled "Brown-Kinney and Total Footwear Sales, 1954 by Kind of Overlap Lo- cation"	10032	D. E. — 7147
MMMMM 8	Chart entitled "Brown-Kinney Overlap and Dollar Shares by Size of Retail Market"	10033	D. E. — 7148

lii INDEX

Exhibit No.	Title or Description of Exhibit	Origina	d Print
BBBBBBB	Table entitled "Brown-Kinney 1954 Retail Overlap and Dol- lar Shares by Population Size of Retail Market"	10034	D. E. — 7149
NNNNN 1	Chart entitled "Number of Shoe Stores Classified by Sales Size 1954"	10036	D. E. — 7151
NNNNN 2	Chart entitled "U.S. Retail Sales of Single and Multiunit Shoe Stores 1954"	10038	D. E. — 7152
NNNNN 3	Chart entitled "Distribution of Footwear Sales by Type of Outlet 1948 and 1954"	10040	D. E. — 7153
NNNNN 4	Chart entitled "Retail Dollar Sales Share of Shoe Chains Operating Eleven or More Stores as of 1948"	10042	D. E 7154
טטטטטטי	1954 Retail Shoe Market Sum- maries: Brown-Kinney Mar- ket Share	10044	D. E. — 7155
CCCCCCC	Overlap Areas where Brown- Kinney Market Share Ex- ceeded 5% in 1954"	10200	D. E. — 7314
	VOLUME 14		
00000 1	Chart entitled "Percentage Dis- tribution of Pairage Ship- ments of Shoes and Slippers by Manufacturers to Owned Outlets and to All Other Classes of Customers, 1954"	10736	D. E. — 7844
DDDDDDDD	Table entitled "Pairage Ship- ments of Shoes and Slippers Except Rubber by Manufac- turing Establishments, 1954"	10737	D. E. — 78 4 5

Exhibit No.	Title or Description of Exhibit	Origina	l Print
00000 2	Chart entitled "Percentage Dis- tribution of Dollar Shipments of Shoes and Slippers by Manufacturers to Owned Out- lets and to All Other Classes of Customers, 1954"	10739	D. E. — 7846
EEEEEEE	Table entitled "Dollar Ship- ments of Shoes and Slippers Except Rubber by Manufac- turing Establishments, 1954"	10740	D. E 7847
FFFFFFF	Closing Regal and Kinney Retail Outlets, May 1, 1956-May 1, 1958 (Supp. Int. Ex. 1B and 1C)	10741	D. E. — 7848
	Clerk's certificate (omitted in printing)	10749	D. E. — 7853