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◊ Certified Civil Trial Attorney
◻ Certified Criminal Trial Attorney
† Certified Matrimonial Attorney
‡ Certified Workers Compensation Attorney
* National Certified Civil Trial Specialist

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2 Also admitted in PA
3 Also admitted in CT
4 Also admitted in DC
5 Also admitted in MA
6 Also admitted in MD
7 Also admitted in VI
8 Only admitted in NY
9 Also admitted in CO

February 23, 2001

UPS-SATURDAY DELIVERY

Dr. David Egilman
9 West Street
Foxboro, Massachusetts 02035

Re: Brake Lining Manufacturer Association, Inc.
Anti-Trust Litigation

Dear Dr. Egilman:

Please find enclosed, copies of the three Indictments from the 1947 Anti-Trust Litigation commenced in the Southern District of New York against the Brake Lining Manufacturers Association, Inc. and its member Corporations. Also included is a copy of the reparation schedule as well as the Judgements entered against the defendants upon their pleas of *nolo conterdere*.

These documents were copied from the originals which are located in the National Archives' Northeast Region facility in New York City.

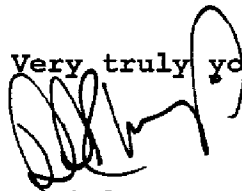
**WILENTZ
GOLDMAN
& SPITZER**

ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION

Dr. David Egilman
February 23, 2001
Page 2

I trust these documentations satisfy your request. If I
can be of further assistance in this regard, please feel free to
call.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Daniel R. Wasp', written over the closing 'yours,'.

Daniel R. Wasp

DRW/ab
Enclosures

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK

AUGUST TERM, 1947

NO. C126/207
(15 USC, §1)

UNITED STATES OF AMERICA

v.

BRAKE LINING MANUFACTURERS' ASSOCIATION, INC.
AMERICAN BRAKE SHOE COMPANY
ASBESTOS MANUFACTURING COMPANY
BENDIX AVIATION CORPORATION
FIERE & METAL PRODUCTS, INC.
FIRESTONE TIRE AND RUBBER COMPANY
GATKE CORPORATION
GENERAL MOTORS CORPORATION
GRIZZLY MANUFACTURING COMPANY
JOHNS-MANVILLE CORPORATION
LASCO BRAKE PRODUCTS CORP., LTD.
L. J. MILEY CO.
PEARIS TIRE & RUBBER CO.
RAYBESTOS-MANHATTAN, INC.
RUSSELL MANUFACTURING CO.
SCANDINAVIA BELTING COMPANY
SOUTHERN FRICTION MATERIALS CORP.
THERMOID CO.
WORLD BESTOS CORP.
FRED J. KELLY
HARRY SMITH
C. Q. SMITH
L. M. TUTTLE
L. E. WILSON
K. W. NASHOLDS
A. J. ROEMER
J. A. BLAKE
F. C. HEPBURN
E. G. BEERGEN
T. L. GATKE
H. C. BEEKELY
J. G. BROWN
F. W. SHELTON
L. M. CASSIDY
J. S. DOYLE
J. R. GLAZEBROOK
C. M. JORGENSEN

SEP 30 1947

M. STEDER
FURBER MARSHALL
G. E. RITTER
O. H. CILLEY
ROBERT B. DAVIS
WILLIAM H. DUMM
H. GROENDYKE
NORMAN LEEDS, JR.
J. D. ROACH
C. W. SACHS
S. J. SYNNOTT
J. R. HOWIE
R. E. KEANE
G. M. WILLIAMS
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V. A. SPINA
HOWARD SNOW
T. E. ALLEN
A. L. CAMPBELL
H. T. SCHECKLER
FRED E. SCHLUTER
L. C. KERSGARD
DONALD H. SPICER

DEFENDANTS

I N D I C T M E N T

The Grand Jury charges:

COUNT ONE

DEFINITIONS

1. The term "brake linings" wherever referred to in this indictment, means asbestos brake linings used for replacement purposes in motor vehicles and in industrial equipment.

THE DEFENDANTS

2. Brake Lining Manufacturers' Association, Inc. (hereinafter referred to as the Association) is hereby indicted and made a

defendant herein. The Association is a membership corporation organized under and existing by virtue of the laws of the State of New York and has its principal place of business in New York City. It is a trade association whose members are manufacturers of friction materials, including brake linings.

3. The following named companies are hereby indicted and made defendants herein. Each of said defendants has been organized under and exists by virtue of the laws of the state indicated below and each such defendant has its principal office and place of business in the city designated. Each of said defendants, during all or part of the period covered by this indictment, including the period within the statute of limitations, has been engaged in selling brake linings and has been and is a member of the defendant Association.

<u>Defendant</u>	<u>State of Incorporation</u>	<u>Principal Place of Business</u>
American Brake Shoe Company	Delaware	Detroit, Mich.
Asbestos Manufacturing Company	Indiana	Huntington, Ind.
Bendix Aviation Corporation	Delaware	Detroit, Mich.
Fibre & Metal Products, Inc.	California	Downey, Cal.
Firestone Tire and Rubber Company	Ohio	Akron, Ohio
Gatke Corporation	Illinois	Chicago, Ill.
General Motors Corporation	Delaware	Detroit, Mich.
Grizzly Manufacturing Company	California	Bell, Cal.
Johns-Manville Corporation	New York	New York, N. Y.
Lasco Brake Products Corp., Ltd.	California	Oakland, Cal.
L. J. Miley Co.	Illinois	Chicago, Ill.
Pharis Tire & Rubber Co.	Ohio	Newark, Ohio
Raybestos-Manhattan, Inc.	New Jersey	Passaic, N. J.

Russell Manufacturing Co.	Connecticut	Middletown, Conn.
Scandinavia Belting Company	Maine	Newark, N. J.
Southern Friction Materials Corp.	N. Carolina	Charlotte, N. C.
Thermoid Co.	Delaware	Trenton, N. J.
World Bestos Corp.	New Jersey	Paterson, N. J.

Collectively the above-named defendants are hereinafter referred to as the corporate defendants.

4. The following individuals are hereby indicted and made defendants herein. Each is associated with a defendant corporation in the capacity shown below. Each said defendant during all or a part of the period covered by this indictment, including the period within the statute of limitations, has authorized, ordered or done the acts alleged herein to have been in violation of law:

<u>Defendant</u>	<u>Corporate Defendant with which Associated</u>	<u>Title or Position</u>	<u>Address</u>
Fred J. Kelly	American Brake	Mgr.	Detroit, Mich.
Harry Geith	American Brake	Asst. Mgr.	Detroit, Mich.
C. Q. Smith	American Brake	Asst. to Pres.	Detroit, Mich.
L. W. Tuttle	Asbestos Mfg.	V. Pres.	Huntington, Ind.
L. E. Wilson	Asbestos Mfg.	Sec. & Treas.	Huntington, Ind.
K. W. Nasholds	Bendix Aviation	Asst. Sales Mgr.	Troy, N. Y.
A. J. Roemer	Bendix Aviation	Sales Mgr.	Troy, N. Y.
J. A. Blake	Fibre & Metals	V. Pres.	Downey, Cal.
F. C. Hepburn	Firestone	Brake Lin- ing Dept.	Akron, Ohio
E. G. Berngen	Gatke	Sec't.	Chicago, Ill.
T. L. Gatke	Gatke	Pres.	Chicago, Ill.
H. C. Berkely	General Motors	Sales Mgr.	Dayton, Ohio
J. G. Brown	Grizzly	Sales Mgr.	Paulding, Ohio
F. W. Shelton	Grizzly		Paulding, Ohio

L. M. Cassidy	Johns-Manville	V. Pres.	New York
J. S. Doyle	Johns-Manville	Staff Mgr.	New York
J. R. Glazebrook	Johns-Manville	Staff member	New York
C. M. Jorgensen	Lasco	Sales Mgr.	Oakland, Cal.
M. Steder	L. J. Wiley	Sales Mgr.	Chicago, Ill.
Furber Marshall	Pharis	Pres.	Ridgeway, Pa.
G. E. Ritter	Pharis	Sales Mgr.	Ridgeway, Pa.
O. H. Gilley	Raybestos	V. Pres.	Manheim, Pa.
Robert B. Davis	Raybestos	V. Pres.	Bridgeport, Conn.
William H. Dunn	Raybestos	Compt.	Passaic, N. J.
H. Groendyke	Raybestos	Mgr.	Passaic, N. J.
Norman Leeds, Jr.	Raybestos	Gen. Sales Mgr.	Bridgeport, Conn.
J. D. Beach	Raybestos	Sales Engineer	Manheim, Pa.
C. W. Sachs	Raybestos	Mgr.	Manheim, Pa.
S. J. Synnott	Raybestos	Mgr.	Passaic, N. J.
J. R. Howie	Russell	Mgr.	Middletown, Conn.
P. E. Keane	Russell	Automotive Div.	Middletown, Conn.
G. M. Williams	Russell	Pres.	Middletown, Conn.
L. S. Sullivan	Russell	Mgr.	Middletown, Conn.
V. A. Spina	Scandinavia	Treas.	Newark, N. J.
Howard Snow	Southern Friction	Pres.	Charlotte, N. C.
T. E. Allen	Thermoid	Asst. to Pres.	Trenton, N. J.
A. L. Campbell	Thermoid	Sales Dept.	Trenton, N. J.
H. C. Scheckler	Thermoid	Mgr.	Trenton, N. J.
Fred B. Schluter	Thermoid	Pres.	Trenton, N. J.
L. G. Kersgard	World Bestos	Mgr.	Paterson, N. J.
Donald E. Spicer	World Bestos	Pres.	Paterson, N. J.

DESCRIPTION OF INDUSTRY AND NATURE OF
INTERSTATE TRADE AND COMMERCE INVOLVED

5. The corporate defendants manufacture and sell approximately 95% of the brake linings manufactured and sold in the United States.

In 1946, their sales amounted to approximately \$35,000,000.

6. The corporate defendants sell brake linings primarily to the following classes of customers: (1) other friction material manufacturers, including other corporate defendants; (2) motor vehicle and industrial equipment manufacturers; (3) distributors, jobbers and dealers; (4) large consumers such as municipal, state and federal governments and owners of large fleets. The bulk of the sales are made to customers in class 3; in 1946, such sales amounted to approximately \$25,500,000 or 73% of the total sales of brake linings. This class of distributors, jobbers and dealers resell mainly to retailers who in turn resell to motor vehicle owners.

7. The corporate defendants manufacture brake linings in the States of California, Connecticut, Ohio, Illinois, Indiana, Michigan, New Jersey, New York, North Carolina and Pennsylvania and ship therefrom to customers in every state in the United States.

COMBINATION AND CONSPIRACY
IN RESTRAINT OF TRADE

8. Beginning sometime in 1927, the exact date being unknown to the Grand Jurors, and continuing thereafter up to and including the date of this indictment, the defendants and other persons and corporations unknown to the Grand Jurors have unlawfully combined and conspired to fix, establish, maintain, control, manipulate and tamper with the prices, terms and conditions in the marketing of brake linings in restraint of the aforesaid interstate trade and commerce.

9. The aforesaid combination and conspiracy has been a continuing one, the substantial terms of which have been that the defendants agree that:

- (a) The Association prepare and distribute among the defendants uniform price lists;
- (b) Each corporate defendant publish in its own price lists the prices contained in the Association price lists;

- (c) The Association prepare and distribute among the defendants classifications of customers;
- (d) The Association prepare and distribute among the defendants uniform discounts, terms and conditions of sale to be granted purchasers in each such classification;
- (e) Each corporate defendant use the classifications of customers, uniform discounts, terms and conditions of sale in selling to purchasers;
- (f) Each corporate defendant require its customers in their resales, to use discounts from the list prices identical with those contained in the uniform discounts described in subparagraph (d) above;
- (g) Each corporate defendant require retailers to sell at the list prices;
- (h) From time to time the price lists, classification of customers, discounts, terms and conditions of sale, sales and resale prices would be changed.

EFFECTS OF THE COMBINATION
AND CONSPIRACY

10. The aforesaid combination and conspiracy hereinabove alleged has had the following effects with respect to brake linings as intended by the defendants:

- (a) Prices have been increased at all levels of sale;
- (b) Prices have tended to become uniform at all levels of sale;
- (c) The public and other purchasers have been charged high and unreasonable prices;
- (d) Substantially all price competition has been eliminated.

*Indictment returned on motion
of Mr. Hayden, Spec. Asst. to Atty. General*

Herbert Leeds Jr. pleads Not Guilty

VERDICT

11. The combination and conspiracy hereintofore alleged has been formed in part and carried out in part within the Southern District of New York in the following manner:

- (a) Meetings have been held in New York City at which the defendants have agreed with each other upon uniform list prices, classification of customers, discounts, terms, conditions, sales prices and resale prices;
- (b) The Association has prepared in New York City uniform price lists, classification of customers, discounts, terms and conditions which it has sent out to the defendants;
- (c) Substantial quantities of brake lining have been sold in New York City at the fixed prices, including sales to the City of New York.

• A TRUE BILL:

Daniel K. Shanley
STANLEY-KASE
Foreman

Tom C. Clark
TOM C. CLARK
Attorney General

John F. Bennett
JOHN F. BENNETT
Assistant Attorney General

John F. X. McGohrey
JOHN F. X. MCGOUREY
United States Attorney

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GEORGE E. HADDOCK
Special Assistants to the Attorney General

J. Francis Hayden
J. FRANCIS HAYDEN
IRVING B. GLICKFELD
JOSEPH T. QUINNAN
EMANUEL S. CAHN
Special Assistants to the
Attorney General

AUG 21 1947

Office Court direct remittance of
payments as to all debts.

Patricia J.

SEP 22 1948

Indictment Dismissed - Con per J
Ree Becker for Plea,
Indignities & Obstruction

Form No. 684

No. C126/207

IN THE DISTRICT COURT
OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.s.

BRACE LINING MANUFACTURERS'
ASSOCIATION, INC., ET AL.
Defendants

INDICTMENT

J. FRANCIS HAYDEN
Special Assistant to the Attorney General

Office and P.O. Address
U.S. Court House, Foley Square, Room 232
Borough of Manhattan, N. Y.

Filed S. FILED AUG 21 1947

AUG 21 1947

By S. D. OF N. Y. Deputy.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK

AUGUST TERM, 1947

NO. *Cin/205*
(15 USC, §1)

UNITED STATES OF AMERICA

v.

BRAKE LINING MANUFACTURERS' ASSOCIATION, INC.
AMERICAN BRAKE SHOE COMPANY
ASBESTOS MANUFACTURING COMPANY
FIBRE & METAL PRODUCTS, INC.
GATKE CORPORATION
GENERAL MOTORS CORPORATION
GRIZZLY MANUFACTURING COMPANY
JOHNS-MANVILLE CORPORATION
L. J. MILEY CO.
RAYBESTOS-MANHATTAN, INC.
RUSSELL MANUFACTURING CO.
SCANDINAVIA BELTING COMPANY
SOUTHERN FRICTION MATERIALS CORP.
THERMOID CO.
WORLD BESTOS CORP.
FRED J. KELLY
HARRY SEITH
C. Q. SMITH
L. W. TUTTLE
L. E. WILSON
J. A. BLAKE
E. G. BEERGEN
T. L. GATKE
H. C. BERKELEY
J. G. BROWN
F. W. SHELTON
L. M. CASSIDY
J. S. DOYLE
J. R. GLAZEBROOK

M. STEUER
O. H. GILLEY
ROBERT B. DAVIS
WILLIAM H. DUNN
H. GROENDYKE
NORMAN LEEDS, JR.
J. D. ROACH
C. W. SACHS
S. J. SYNNOTT
J. R. HOWIE
R. E. KEANE
G. M. WILLIAMS
L. S. SULLIVAN
V. A. SPINA
HOWARD SNOW
T. E. ALLEN
A. L. CAMPBELL
H. T. SCHECKLER
FRED E. SCHLUTER
L. G. KERSGARD
DONALD H. SPICER

DEFENDANTS

INDICTMENT

COUNT ONE

DEFINITIONS

1. The term "clutch facings" wherever referred to in this indictment, means asbestos clutch facings used for replacement purposes in motor vehicles and in industrial equipment.

THE DEFENDANTS

2. Brake Lining Manufacturers' Association, Inc. (hereinafter referred to as the Association) is hereby indicted and made a defendant herein. The Association is a membership corporation organized under and existing by virtue of the laws of the State of New York and has its principal place of business in New York City. It is a trade association whose members are manufacturers of friction materials including clutch facings.

3. The following-named companies are hereby indicted and made defendants herein. Each of said defendants has been organized under and exists by virtue of the laws of the state indicated below and each such defendant has its principal office and place of business in the city designated. Each of said defendants, during all or a part of the period covered by this indictment, including the period within the statute of limitations, has been engaged in selling clutch facings and has been and is a member of the defendant Association.

<u>Defendant</u>	<u>State of Incorporation</u>	<u>Principal Place of Business</u>
American Brakes Shoe Company	Delaware	Detroit, Mich.
Asbestos Manufacturing Company	Indiana	Huntington, Ind.
Fibre & Metal Products, Inc.	California	Downey, Cal.
Gatke Corporation	Illinois	Chicago, Ill.

Placed Not Guilty

Placed Not Guilty

Am. Brake Shoe Co.,

Brake Lining Mfg. Assn., Inc.,

SEP 30 1947

Collectively the above-named defendants are hereinafter referred to as the corporate defendants.

Defendant	Corporate Defendant with which associated	Title or Position	Address
Fred J. Kelly	American Brake	Mgr.	Detroit, Mich.
Harry Seith	American Brake	Asst. Mgr.	Detroit, Mich.
C. Q. Smith	American Brake	Asst. to Pres.	Detroit, Mich.
L. W. Tuttle	Asbestos Mfg.	V. Pres.	Huntington, Ind.
L. E. Wilson	Asbestos Mfg.	Sec't. & Treas.	Huntington, Ind.
J. A. Blake	Fibre & Metals	V. Pres.	Downey, Cal.
E. G. Berngen	Gatke	Sec't.	Chicago, Ill.
H. C. Berkely	General Motors	Sales Mgr.	Dayton, Ohio
T. L. Gatke	Gatke	Pres.	Chicago, Ill.

J. G. Brown	Grizzly	Sales Mgr.	Paulding, Ohio
F. W. Shelton	Grizzly		Paulding, Ohio
L. M. Cassidy	Johns-Manville	V. Pres.	New York, N.Y.
J. S. Doyle	Johns-Manville	Staff Mgr.	New York, N.Y.
J. R. Glazebrook	Johns-Manville	Staff member	New York, N.Y.
M. Steder	L. J. Miley	Sales Mgr.	Chicago, Ill.
O. H. Cilley	Raybestos	V. Pres.	Manheim, Pa.
Robert B. Davis	Raybestos	V. Pres.	Bridgeport, Conn.
William H. Damm	Raybestos	Compt.	Passaic, N.J.
H. Green dyke	Raybestos	Mgr.	Passaic, N.J.
Norman Leeds, Jr.	Raybestos	Gen. Sales Mgr.	Bridgeport, Conn.
J. D. Roach	Raybestos	Sales Engineer	Manheim, Pa.
C. W. Sachs	Raybestos	Mgr.	Manheim, Pa.
S. J. Symnott	Raybestos	Mgr.	Passaic, N.J.
J. R. Howie	Russell	Mgr.	Middletown, Conn.
R. E. Keane	Russell	Automotive Div.	Middletown, Conn.
G. M. Williams	Russell	Pres.	Middletown, Conn.
L. S. Sullivan	Russell	Mgr.	Middletown, Conn.
V. A. Spina	Scandinavia	Treas.	Newark, N.J.
Howard Snow	Southern Friction	Pres.	Charlotte, N.C.
T. E. Allen	Thermoid	Asst. to Pres.	Trenton, N.J.
A. L. Campbell	Thermoid	Sales Dept.	Trenton, N.J.
H. T. Scheckler	Thermoid	Mgr.	Trenton, N.J.
Fred E. Schluter	Thermoid	Pres.	Trenton, N.J.
L. G. Kersgard	World Bestos	Mgr.	Paterson, N.J.
Donald H. Spicer	World Bestos	Pres.	Paterson, N.J.

DESCRIPTION OF INDUSTRY AND NATURE OF
INTERSTATE TRADE AND COMMERCE INVOLVED

5. The corporate defendants manufacture and sell approximately 98% of the clutch facings manufactured and sold in the United States. In 1946, their sales amounted to approximately \$7,000,000.

6. The corporate defendants sell clutch facings primarily to the following classes of customers: (1) other friction material manufacturers, including other corporate defendants; (2) motor vehicle and industrial equipment manufacturers; (3) distributors, jobbers and dealers; (4) large consumers such as municipal, state and federal governments and owners of large fleets. The bulk of the sales are made to customers in class 3; in 1946, such sales amounted to approximately \$4,500,000 or 63% of the total sales of clutch facings. This class of distributors, jobbers and dealers resell mainly to retailers who in turn resell to motor vehicle owners.

7. The corporate defendants manufacture clutch facings in the States of Connecticut, Ohio, Illinois, Indiana, Michigan, New Jersey, New York, North Carolina and Pennsylvania and ship therefrom to customers in every state in the United States.

COMBINATION AND CONSPIRACY
IN RESTRAINT OF TRADE

8. Beginning sometime in 1928, the exact date being unknown to the Grand Jurors, and continuing thereafter up to and including the date of this indictment, the defendants and other persons and corporations unknown to the Grand Jurors have unlawfully combined and conspired to fix, establish, maintain, control, manipulate and tamper with the prices, terms and conditions in the marketing of clutch facings in restraint of the aforesaid interstate trade and commerce.

9. The aforesaid combination and conspiracy has been a continuing one, the substantial terms of which have been that the defendants agree that:

- (a) The Association prepare and distribute among the defendants uniform price lists;
- (b) Each corporate defendant publish in its own price lists the prices contained in the Association price lists;
- (c) The Association prepare and distribute among the defendants classifications of customers;
- (d) The Association prepare and distribute among the defendants uniform discounts, terms and conditions of sale to be granted purchasers in each such classification;
- (e) Each corporate defendant use the classifications of customers, uniform discounts, terms and conditions of sale in selling to purchasers;
- (f) Each corporate defendant require its customers in their resale, to use discounts from the list prices identical with those contained in the uniform discounts described in subparagraph (d) above;
- (g) Each corporate defendant require retailers to sell at the list prices;
- (h) From time to time the price lists, classifications of customers, discounts, terms and conditions of sale, sales and resale prices would be changed.

EFFECTS OF THE COMBINATION
AND CONSPIRACY

10. The aforesaid combination and conspiracy hereinabove alleged has had the following effects with respect to clutch facings

as intended by the defendants:

- (a) Prices have been increased at all levels of sale;
- (b) Prices have tended to become uniform at all levels of sale;
- (c) The public and other purchasers have been charged high and unreasonable prices;
- (d) Substantially all price competition has been eliminated.

VENUE

11. The combination and conspiracy hereinbefore alleged has been formed in part and carried out in part within the Southern District of New York in the following manner:

- (a) Meetings have been held in New York City at which the defendants have agreed with each other upon uniform list prices, classification of customers, sales prices and resale prices;
- (b) The Association has prepared uniform price lists, classification of customers and discounts in New York City which it has sent out to the defendants;
- (c) Substantial quantities of clutch facings have been sold in New York City at the fixed prices, including sales to the City of New York.

A TRUE BILL:

Daniel K. Shanley

~~Grand Juror~~
Foreman

Tom C. Clark
TOM C. CLARK

Attorney General

John F. Sommers
JOHN F. SOMMERS

Assistant Attorney General

John F. L. McGoheny
JOHN F. L. MCGOHEY

United States Attorney

HOLMES BALDRIDGE

GEORGE B. HADDOCK

Special Assistants to the
Attorney General

J. Francis Hayden
J. FRANCIS HAYDEN

IRVING B. GLICKFELD

JOSEPH T. QUINNAN

EMANUEL S. CAHN

Special Assistants to the
Attorney General

1947

*Just direct the response
to all
Pastor J*

*August 2 - 6 pm
for Mr. Jurgens.
Good*

Form No. 600

No. *K126/205*

IN THE DISTRICT COURT
OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT of NEW YORK

UNITED STATES OF AMERICA,

vs.

BRACE LINING MANUFACTURERS' ASSOCIATION,

INC., ET AL.,

Defendants.

INDICTMENT

J. FRANCIS HAYDEN
Special Assistant to the
Attorney General

Office and P.O. Address
U.S. Court House, Foley Square, Room 232,
 Borough of Manhattan, N.Y.

FILED AUG 21 1947

S. D. N. Y.

Clerk.

By: Deputy.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK

AUGUST TERM, 1947

NO. *C-126/206*.

(15 USC, §1)

UNITED STATES OF AMERICA

v.

BRAKE LINING MANUFACTURERS' ASSOCIATION, INC.
AMERICAN BRAKE SHOE COMPANY
ASBESTOS MANUFACTURING COMPANY
BENDIX AVIATION CORPORATION
FIBRE & METAL PRODUCTS, INC.
FIRESTONE TIRE AND RUBBER EXPORT COMPANY
FIRESTONE TIRE AND RUBBER COMPANY
GATKE CORPORATION
GENERAL MOTORS CORPORATION
GRIZZLY MANUFACTURING COMPANY
JOHNS-MANVILLE INTERNATIONAL CORPORATION
JOHNS-MANVILLE CORPORATION
PHARIS TIRE & RUBBER CO.
RAYBESTOS-MANHATTAN, INC.
RUSSELL MANUFACTURING CO.
SCANDINAVIA BELTING COMPANY
THERMOID CO.
WORLD BESTOS CORP.
S. F. BROWN
HARRY SMITH
J. B. SPENCER
L. W. TUTTLE
K. W. NASHOLDS
A. J. ROEMER
J. A. BLAKE
W. RAHBECK
P. F. BAILLET
T. L. GATKE
H. C. BERKELEY
J. G. BROWN
E. W. LENZ
B. ASPER
E. S. CROSBY

Brake Lining Mfrs. Assn., Inc., Pleads Not Guilty

SEP 30 1947

FURBER MARSHALL
ROBT. B. DAVIS
WM. H. DUNN
H. G. FARWELL
G. M. RIGHTER
J. F. D. ROHRBACH
H. C. BUTTERWORTH
G. M. WILLIAMS
V. A. SPINA
H. A. DAVIS
FRED E. SCHLUTER
L. G. KERSGARD
DONALD H. SPICER

DEFENDANTS

INDICTMENT

The Grand Jury charges:

COUNT ONE

DEFINITIONS

1. The term "friction materials" wherever referred to in this indictment, means asbestos brake linings and clutch facings used for replacement purposes in motor vehicles and in industrial equipment.

THE DEFENDANTS

2. Brake Lining Manufacturers' Association, Inc., (hereinafter referred to as the Association) is hereby indicted and made a defendant herein. The Association is a membership corporation organized under and existing by virtue of the laws of the State of New York and has its principal place of business in New York City. It is a trade association whose members are manufacturers of friction materials.

3. The following-named companies are hereby indicted and made defendants herein. Each of said defendants has been organized under and exists by virtue of the laws of the state indicated below and each such defendant has its principal office and place of business in the city designated. Each of said defendants, during all or a part of the period covered by this indictment, including the period within the statute of limitations, has been engaged in selling friction materials in foreign commerce and has been and is a member of the defendant Association either directly or through its parent company.

<u>Defendants</u>	<u>State of Incorporation</u>	<u>Principal Place of Business</u>
American Brake Shoe Company	Delaware	Detroit, Mich.
Asbestos Manufacturing Company	Indiana	Huntington, Ind.
Bendix Aviation Corporation	Delaware	Detroit, Mich.
Fibre & Metal Products, Inc.	California	Downey, Cal.
Firestone Tire and Rubber Export Company	Maine	Akron, Ohio

<u>Defendants</u>	<u>State of Incorporation</u>	<u>Principal Place of Business</u>
Firestone Tire and Rubber Company	Ohio	Akron, Ohio
Gatke Corporation	Illinois	Chicago, Ill.
General Motors Corporation	Delaware	Detroit, Mich.
Grizzly Manufacturing Company	California	Bell, Calif.
Johns-Manville International Corporation	Delaware	New York, N.Y.
Johns-Manville Corporation	New York	New York, N.Y.
Pharis Tire & Rubber Co.	Ohio	Newark, Ohio
Raybestos-Manhattan, Inc.	New Jersey	Passaic, N.J.
Russell Manufacturing Co.	Connecticut	Middletown, Conn.
Scandinavia Belting Company	Maine	Newark, N.J.
Thermoid Co.	Delaware	Trenton, N.J.
World Bestos Corp.	New Jersey	Paterson, N.J.

Collectively the above-named defendants are hereinafter referred to as the corporate defendants.

4. The following individuals are hereby indicted and made defendants herein. Each is associated with a defendant corporation in the capacity shown below. Each said defendant during all or a part of the period covered by this indictment, including the period within the statute of limitations, has authorized, ordered or done the acts alleged herein to have been in violation of law:

<u>Defendant</u>	<u>Corporate Defendant with which Associated</u>	<u>Title or Position</u>	<u>Address</u>
S. F. Brown	American Brake	Dir. of Expts.	Detroit, Mich.
Harry Seith	American Brake	Asst. Sales Mgr.	Detroit, Mich.
J. B. Spencer	American Brake	V. Pres.	Detroit, Mich.
L. W. Tuttle	Asbestos Mfg.	V. Pres.	Huntington, Ind.
E. W. Nasholds	Bendix Aviation	Asst. Sales Mgr.	Troy, N.Y.
A. J. Roemer	Bendix Aviation	Sales Mgr.	Troy, N.Y.

Defendant	Corporate Defendant with which Associated	Title or Position	Address
J. A. Blake	Fibre & Metal	V.Pres.	Downey, Cal.
W. Rahbeck	Firestone	Expt. Dept.	Akron, Ohio
- P. F. Baillet	Gatke	Expt. Dept.	Chicago, Ill.
T. L. Gatke	Gatke	Pres.	Chicago, Ill.
H. C. Berkeley	General Motors	Sales Mgr.	Dayton, Ohio
- J. G. Brown	Grizzly	Sales Mgr.	Paulding, Ohio
- E. W. Lenz	Grizzly	Export. Div.	Paulding, Ohio
- B. Asper	Johns-Manville	V.Pres.	New York, N.Y.
- E. S. Crosby	Johns-Manville	Pres.	New York, N.Y.
Furber Marshall	Pharis	Pres.	Ridgeway, Pa.
Robt. B. Davis	Raybestos	V.Pres.	Bridgeport, Ct.
Wm. H. Dunn	Raybestos	Compt.	Passaic, N.J.
- H. G. Farwell	Raybestos	Export. Dept.	Bridgeport, Ct.
G. M. Richter,	Raybestos	Export. Mgr.	Manheim, Pa.
J. F. D. Rohrbach	Raybestos	V.Pres.	Passaic, N.J.
- H. C. Butterworth	Russell	Expt. Mgr.	Middletown, Ct.
G. M. Williams	Russell	Pres.	Middletown, Ct.
V. A. Spina	Scandinavia	Treas.	Newark, N.J.
- H. A. Davis	Thermoid	Expt. Mgr.	Trenton, N.J.
Fred. E. Schluter	Thermoid	Pres.	Trenton, N.J.
L. G. Kersgard	World Bestos	Mgr.	Paterson, N.J.
Donald H. Spicer	World Bestos	Pres.	Paterson, N.J.

DESCRIPTION OF INDUSTRY AND NATURE OF
FOREIGN TRADE AND COMMERCE INVOLVED

5. The corporate defendants manufacture friction materials in several of the States of the United States and ship substantial quantities to foreign countries. The corporate defendants manufacture and sell approximately 97% of the friction materials manufactured in the United States and shipped in foreign trade and commerce. In 1946, their foreign sales amounted to approximately \$2,700,000.

COMBINATION AND CONSPIRACY IN
RESTRAINT OF FOREIGN TRADE

6. Beginning sometime in 1932, the exact date being unknown to the Grand Jurors, and continuing thereafter up to and including the date of this indictment, the defendants and other persons and corporations unknown to the Grand Jurors have unlawfully combined and conspired to fix, establish, maintain, control, manipulate and tamper with the prices, terms and conditions in the sale of friction materials in restraint of the aforesaid foreign trade and commerce.

7. The aforesaid combination and conspiracy has been a continuing one, the substantial terms of which have been that the defendants agree that:

- (a) The Association prepare and distribute among the defendants uniform price lists, discounts, terms and conditions of sale;
- (b) Each corporate defendant publish in its own price lists the prices contained in the Association price lists;
- (c) Each corporate defendant use the uniform discounts, terms, and conditions of sale in selling to purchasers;
- (d) From time to time the price lists, discounts, terms and conditions of sale, and sales prices would be changed.

EFFECTS OF THE COMBINATION
AND CONSPIRACY

8. The aforesaid combination and conspiracy hereinabove alleged has had the following effects with respect to friction materials as intended by the defendants:

- (a) Substantially all competition in foreign commerce has been eliminated;
- (b) The corporate defendants have made sales in foreign commerce at uniform prices;
- (c) The corporate defendants have made sales in foreign commerce at lower prices than they have in domestic commerce.

VENUE

9. The combination and conspiracy hereinbefore alleged has been formed in part and carried out in part within the Southern District of New York in the following manner:

- (a) Meetings have been held in New York City at which the defendants have agreed with each other upon uniform list prices, discounts, selling prices, terms and conditions of sale;
- (b) The Association has prepared in New York City uniform price lists, discounts, terms and conditions of sale which it has sent out to the defendants;

(c) Substantial quantities of friction
materials have been shipped through
the Port of New York.

A TRUE BILL:

Daniel K. Shanley
~~SEAL - MADE~~
Foreman

Tom C. Clark
TOM C. CLARK
Attorney General

John F. Sonnett
JOHN F. SONNETT
Assistant Attorney General
John F. X. McGohey
JOHN F. X. MCGOHEY
United States Attorney

HOLMES BALDRIDGE
GEORGE B. HADDOCK
Special Assistants to the Attorney General

J. Francis Hayden
J. FRANCIS HAYDEN
IRVING B. GLICKFELD
JOSEPH T. QUINNAN
EMANUEL S. CAHN
Special Assistants to the
Attorney General

AUG 21 1947

*Do not direct the issuance
of summons to all
defendants*

Postone J.

SEP 22 1947

*For statement of
see Robert for plea.
judgment and demands*

Engels

Form No. 600

No. *E 126/206*

IN THE DISTRICT COURT
OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT NEW YORK

UNITED STATES OF AMERICA

vs.

BRACE LINING MANUFACTURERS'

ASSOCIATION, INC., ET AL.
Defendants

INDICTMENT

J. FRANCIS HAYDEN
Special Assistant to the Attorney General
Office and P. O. Address
U. S. Court House, Foley Square, Rm. 232
Borough of Manhattan, N. Y.

Filed

1947

DISTRICT COURT

19

AUG 21 1947

Clerk.

By

S. D. N. Y.

Deputy.

7-14a

in 1/16/71

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Totals	\$56,200.	\$51,700.	\$44,100. \$152,000.

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. GL26/205-206-207

BRAKE LINING MANUFACTURERS
ASSOCIATION, INC

On this 22nd day of September, 1948 ~~the~~ came the attorney
for the government and the defendant ~~appeared by person and~~
by Lester D. Stickles, Atty

It Is Adjudged that the defendant has been convicted upon ^{its} plea
of nolo contendere by atty. of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$5000.
on each indictment Total fine \$15,000. Fine to be paid by 4 PM

Edmund A. [Signature]
United States District Judge.

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

C126/205-206-207

v.

No. 13123

AMERICAN BRAKE SHOE COMPANY

On this 22nd day of September, 1948 ~~is~~ came the attorney
for the government and the defendant appeared ~~by counsel~~
by Milbank, Tweed, Hope & Hadley, Attys

It Is Adjudged that the defendant has been convicted upon ^{its} plea
of nolo contendere by Attys of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$5000.
on each indictment Total fine \$15,000. to be paid by 4 PM

Eduard A. B. 35
United States District Judge.

PH
Judgment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205 & 207

JOHNS-MANVILLE CORPORATION

On this 22nd day of September, 1948 ~~it~~ came the attorney
for the government and the defendant appeared ~~incorporated~~
by Davis Polk Wardwell Sunderland & Kiendl, Attys

It Is Adjudged that the defendant has been convicted upon ^{its} ~~his~~ plea
of nolo contendere by Attys
of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged ^{it} ~~he~~
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$5000. on
each indictment Total fine \$10,000. to be paid by 4 PM

Edward A. Long
United States District Judge.

J.M.
~~Judgment~~

~~Cr. Form No. 26~~

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205 & 207

J.S. Doyle

On this 22nd day of September, 1948 19 came the attorney
for the government and the defendant appeared ~~by Davis Polk Wardwell Sunderland & Kiendl~~
by Davis Polk Wardwell Sunderland & Kiendl, Attys

It Is Adjudged that the defendant has been convicted upon his plea
of nolo contendere by attys of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$2500.
on each indictment Total fine \$5000. to be paid by 4 PM

Edward A. [Signature]
United States District Judge.

87H.

Ind. 100-1

CR. Form No. 23

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No.

CL26/206

JOHNS-MANVILLE INTERNATIONAL
CORPORATION

On this 22nd day of September, 1948 19 came the attorney
for the government and the defendant appeared ~~in person~~
by Davis Polk Wardwell Sunderland & Kiendl, Attys

It Is Adjudged that the defendant has been convicted upon ~~its~~ plea
of nolo contendere by attys
of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged ~~it~~
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the
defendant be fined the sum of \$5000.

Fine to be paid by 4 PM

Edmund A. Lins
United States District Judge.

PA
Judgment

Form No. 25

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205-206-207

RAYBESTOS-MANHATTAN, INC

On this 22nd day of September, 1948 ~~IX~~ came the attorney
for the government and the defendant appeared ~~in person~~
by Robert P. Patterson

It Is Adjudged that the defendant has been convicted upon ^{its} ~~its~~ plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$5000. on each
indictment Total fine \$15,000. to be paid by 4 PM

Edmund H. King
United States District Judge,

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No.

C126/205-206-207

ROBERT B. DAVIS

On this 22nd day of September, 1948 ¹⁹ came the attorney for the government and the defendant appeared ~~in person~~
Robert P. Patterson, Atty

It Is Adjudged that the defendant has been convicted upon his plea of ~~nolo contendere~~ by atty of the offense of conspiracy in restraint of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and convicted.

It Is Adjudged that the defendant be fined the sum of \$2000. on each of indictments C126/205 & 207 and \$1000. on indictment C126/206

Total fine \$5000. to be paid by 4 PM

8771.
Judgment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205-206-207

THERMOID CO.

On this 22nd day of September, 1948 12 came the attorney
for the government and the defendant appeared ~~in person~~
by Samuel S. Isseks, Atty

It Is Adjudged that the defendant has been convicted upon ~~his~~ it
of nolo contendere by atty
of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$5000.
on each indictment Total fine \$15,000. to be paid by 4 PM

Edna A. Lins
United States District Judge.

J.M.

Judgment

Cr. File No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205 & 207

A.L. CAMPBELL

On this 22nd day of September, 1948 ~~18~~ came the attorney
for the government and the defendant appeared ~~in person~~
by Samuel S. Isseks, Atty

It Is Adjudged that the defendant has been convicted upon his plea
of nolo contendere by Atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced; and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$2500.
on both indictments Total fine ~~\$1~~ \$5,000. to be paid by 4 PM

Edward A. [Signature]
United States District Judge.

g.m.

Judgment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Not 126/205-206-207

ASBESTOS MANUFACTURING COMPANY

On this 22nd day of September, 1948 ~~at~~ came the attorney
for the government and the defendant appeared ~~in person~~
by Samuel S. Isseks, Atty

It Is Adjudged that the defendant has been convicted upon ^{its} ~~his~~ plea
of nolo contendere by Atty of the offense of conspiracy in restraint of
trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of
\$1500. on each indictment Total fine \$4500. to be paid by 4 PM

Edmund A. Long
United States District Judge.

Jm

Judgment

Cv. Form No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. *1 1*
CL26/205 & 207

L. E. WILSON

On this 22nd day of September, 1948 ~~1949~~ came the attorney
for the government and the defendant appeared ~~in person~~
by Samuel S. Isseks, Atty

It Is Adjudged that the defendant has been convicted upon his plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$750. on
each indictment Total fine \$1500. to be paid by 4 PM

Edward A. [Signature]
United States District Judge.

87M

Judgment

Cr. Form No. 85

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. CL26/206 & 207

HENDIX AVIATION CORPORATION

On this 22nd day of September, 1948 ¹⁹ came the attorney for the government and the defendant appeared ~~by Hughes, Hubbard & Ewing, Attys~~ by Hughes, Hubbard & Ewing, Attys

It Is Adjudged that the defendant has been convicted upon ^{its} ~~its~~ plea of nolo contendere by Attys of the offense of conspiracy in restraint of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it and the court having asked the defendant whether ~~he~~ has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and convicted.

It Is Adjudged that the defendant be fined the sum of \$3000. on each indictment Total fine \$6000. to be paid by 4 PM

Edmund A. Smyth
United States District Judge.

J.H.

Judgment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205-206-207

GATKE CORPORATION

On this 22nd day of September, 1948 ~~19~~ came the attorney for the government and the defendant appeared ~~in person~~ by O'Connor & Farber, Attys

It Is Adjudged that the defendant has been convicted upon ~~its~~ ^{its} plea of ~~nolo contendere~~ by Attys of the offense of conspiracy in restraint of trade and commerce in friction materials T. 15 Sec 1 USC

as charged and the court having asked the defendant whether ~~he~~ ^{it} has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and convicted.

It Is Adjudged that the defendant be fined the sum of \$1500. on each ~~indictment~~ indictment Total fine \$4500. to be paid by 4 PM

Edward A. [Signature]
United States District Judge.

Q.M.
~~Judgment~~

~~Or. Form No. 85~~

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. */ / /*
CL26/205-206-207

T. L. GATKE

On this 22nd day of September, 1948 ~~10~~ came the attorney
for the government and the defendant appeared ~~in person and~~
by O'Connor & Farber, Attys

It Is Adjudged that the defendant has been convicted upon his plea
of nolo contendere by Attys of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$500. on each
indictment Total fine \$1500. to be paid by 4 PM

Edmund A. Long
United States District Judge.

gmk
Judgment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205-206-207

RUSSELL MANUFACTURING CO.

On this 22nd day of September, 1948 ~~XXXX~~ came the attorney
for the government and the defendant appeared in ~~person~~
by Lester D. Stickles, Atty

It Is Adjudged that the defendant has been convicted upon ~~his~~ ^{its} plea
of nolo contendere by Atty
of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$1500. on each
indictment Total fine \$4500. to be paid by 4 PM

Edward A. [Signature]
United States District Judge.

J.M.
Judgment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. CE 26/205 & 207

LEO S. SULLIVAN

On this 22nd day of September, 1948 ~~PC~~ came the attorney
for the government and the defendant appeared ~~in person and~~
Lester D. Stickles, Atty

It Is Adjudged that the defendant has been convicted upon his plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$750 on each
indictment Total fine \$1500. to be paid by 4 PM

Edmund A. Murphy
United States District Judge.

J.A.
Judgment

Cr. Case No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

vs.
WORLD BESTOS CORP

No. C126/295-206-207

On this 22nd day of September, 1948 ~~PM~~ came the attorney
for the government and the defendant appeared ~~by Israel B. Oseas, Atty~~
by Israel B. Oseas, Atty

It Is Adjudged that the defendant has been convicted upon ~~its~~ plea
of nolo contendere by Atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$1500.
on each indictment Total fine \$4500. to be paid by 4 PM

Edward A. [unclear]
United States District Judge.

J.M.
Indictment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205-206-207

DONALD H. SPICER

On this 22nd day of September, 1948 ~~pg~~ came the attorney
for the government and the defendant appeared ~~in person~~
by Israel B. Oseas, Atty

It Is Adjudged that the defendant has been convicted upon his plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$500. on each
indictment Total fine \$1500. to be paid by 4 PM

Edward H. Lewis
United States District Judge.

JH
~~Indictment~~

~~Cr. Form No. 22~~

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No.

✓ ✓ ✓
C126/205-206-207

Fibre & Metal Products, INC

On this 22nd day of September, 1948, came the attorney
for the government and the defendant appeared in person
by Lester D. Stickles, Atty

It Is Adjudged that the defendant has been convicted upon ^{its} ~~his~~ plea
of nolo contendere by atty
of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$400. on each
indictments C126/205 & 207 and \$200. on C126/206 Total fine \$1000. to
be paid by 4 PM

Edmund A. [Signature]
United States District Judge.

PH
Judgment

Cr. Form No. 25

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/207 ✓

LASCO BRAKE PRODUCTS CORP

On this 22nd day of September 1948 19 came the attorney
for the government and the defendant appeared ~~in person~~
By Lester D. Stickles, Atty.

It Is Adjudged that the defendant has been convicted upon ^{its} ~~his~~ plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged
and the court having asked the defendant whether he has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$1000.
to be paid by 4 PM

Thurston
United States District Judge.

PM
Judgment

Cr. Form No. 15

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. *✓* C126/205 & *✓* 207

L. J. MILEY CO

On this 22nd day of September 1948 ~~is~~ came the attorney
for the government and the defendant appeared ~~represented~~
by Lester D. Stickles, Atty

It Is Adjudged that the defendant has been convicted upon ^{its} ~~his~~ plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged ^{it}
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant is fined the sum of \$500. on
each indictment Total fine \$1000. to be paid by 4 PM

Edmund A. [unclear]
United States District Judge.

J.H.
Judgment

Form No. 85

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126-206 & 207

PHARIS TIRE & RUBBER CO

On this 22nd day of September, 1949 12 came the attorney
for the government and the defendant appeared ~~in person and~~
by Spence, Hotchkiss, Parker & Duryee, Attys

It Is Adjudged that the defendant has been convicted upon ^{its} plea
of ~~nolo contendere~~ by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$500. on each
indictment Total fine \$1000. to be paid by 4 PM

Edward A. [signature]
United States District Judge.

824
~~Indictment~~

Cr. Form No. 23

DISTRICT COURT OF THE UNITED STATES

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205-206-207

SCANDINAVIA BELTING COMPANY

On this 22nd day of September, 1948 ~~is~~ came the attorney
for the government and the defendant appeared ~~in person~~
by Charles L. Cusumano, Atty

It Is Adjudged that the defendant has been convicted upon ~~his~~ ^{its} plea
of ~~nolo contendere~~ by atty of the offense. of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$400./on each
indictments C126/205 & 207 and \$200. on C126/206
Total fine \$1000. to be paid by 4 PM

Edna A. M.S.
United States District Judge.

207
Judgment

Page No. 25

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205 & 207

SOUTHERN FRICTION MATERIALS CORP

On this 22nd day of September, 1948 ~~is~~ came the attorney
for the government and the defendant appeared ~~in person and~~
by Lester D. Stickles, Atty

It Is Adjudged that the defendant has been convicted upon ^{its} plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$500. on each
indictment Total fine \$1000. to be paid by 4 PM

Edmund A. [Signature]
United States District Judge.

J.H.

Gr. Form No. 23

DISTRICT COURT OF THE UNITED STATES
FOR THE
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

No. C126/205-206-207

GENERAL MOTORS CORPORATION

On this 22nd day of September, 1948 ~~it~~ came the attorney
for the government and the defendant appeared ~~in person~~
by George A. Brooks, Atty

It Is Adjudged that the defendant has been convicted upon ^{its} plea
of nolo contendere by atty of the offense of conspiracy in restraint
of trade and commerce in friction materials T. 15 Sec 1 USC

as charged it
and the court having asked the defendant whether ~~he~~ has anything to
say why judgment should not be pronounced, and no sufficient cause
to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and con-
victed.

It Is Adjudged that the defendant be fined the sum of \$400. on each of
indictments C126/205 & 206 and \$200. on C126/206

Edward A. [Signature]
United States District Judge.