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A. ZEREGA'S SONS, INC.  
20-01 BROADWAY  
FAIR LAWN, N. J. 07410

NO  
NAME

August 20, 1976

The President  
The White House  
Washington, D. C. 20500

Dear Mr. President:

We are very much concerned with the implications of parens patriae legislation which we understand is to come before you for your consideration. We would like to go on record as being strongly opposed to legislation of this type as it may appear in any bill that may reach you. It is our feeling that if legislation of this type is not vetoed by you, we will have a repetition of the abuses noted in the past in connection with automobile liability claims and malpractice suits directed at the medical profession. After their success in mining these two areas for lucrative fees, private attorneys would surely recognize another golden opportunity for personal enrichment. We believe that many corporations would tend to "settle", giving into pressure far in advance of a legal decision. While in a single instance this could be a wise business decision, the long range result, we feel, would be to only encourage the proliferation of suits of this nature.

As always, it is the consumer who ultimately foots the bill and we fear that the impact on the continuing inflationary spiral would be significant.

We ask that you veto any legislation that may come for your consideration carrying with it a parens patriae provision.

Yours very truly,

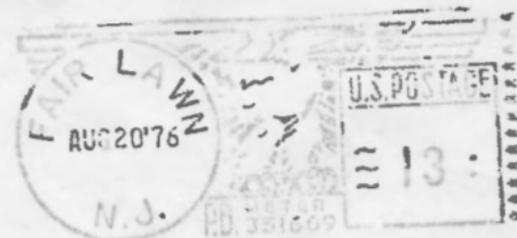
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A. ZIEREGA'S SONS, INC.

 *Macaroni and Egg Noodle Products*

20-01 BROADWAY, FAIR LAWN, N. J. 07410



The Honorable  
John O. Marsh, Jr.  
Counsellor to the President  
The White House  
Washington, D. C. 20500

AMERICAN CYANAMID COMPANY  
WAYNE, NEW JERSEY 07470

JAMES G. AFFLECK  
CHAIRMAN AND PRESIDENT

August 12, 1976

The Honorable Gerald R. Ford  
The President  
The White House  
Washington, D. C. 20500

Re: H.R. 8532, H.R. 13489 and H.R. 14580

Dear Mr. President:

The antitrust bills about which I wrote to you on May 27 have been passed by the House and Senate and will soon be considered by a Conference Committee.

Some proponents of the legislation may urge that amendments in the bills have made the legislation less objectionable. The fact is that even the amended versions would become an instrument for serious and unjustified damage to American industry.

For example, the proposed allowance of trebled awards only in price fixing and patent fraud cases is claimed to be justified because such violations are always intentional. However, I am sure your antitrust advisors will tell you that even in the areas of price fixing and patent fraud the broad and general language of the Sherman Act permits findings of antitrust violations regardless of the honest motives of the defendant. The problem is particularly serious in the patent field where the recent development is to declare unlawful under present standards, conduct and activities which were regarded as entirely proper and lawful when they occurred many years ago.



Moreover, the attempt to justify the allowance of confiscatory awards on the grounds that the violations are intentional is, in effect, an admission that the purpose of the Parens Patriae legislation is punitive and not compensatory. Yet there has been no showing that the legislation you signed late last year, authorizing prison terms of 3 years and fines of \$1,000,000, is inadequate for that purpose. If additional penalties are deemed necessary, they should not be enacted in the guise of treble damages and placed at the disposal of private damage lawyers and 50 state attorneys general.

AMERICAN CYANAMID COMPANY

The Honorable Gerald R. Ford  
Page Two  
August 12, 1976

The pending legislation would also give the Department of Justice new powers with regard to investigations and mergers. Basically, it would allow government lawyers to compel testimony from innocent third persons and to block mergers without having to justify to a court that there is a reasonable probability of involvement in a violation. Such arbitrary power, which may be exercised without prior judicial approval, is unnecessary and is offensive to our concepts of due process.

I sincerely hope that your administration will continue to oppose the enactment of this legislation.

Very truly yours,



JGA:rb



Crossed  
Schultz

August 23, 1976

Antitrust

Dear Mr. Schultz:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John G. Marsh, Jr.  
Counsellor to the President

Mr. E. J. Schultz  
Hills Bros. Coffee, Inc.  
Post Office Box 3149  
San Francisco, California 94119

cc: Ed Schmultz

dt



**HILLS**  
**BROS**  
**COFFEE, INC.**

P. O. BOX 3149, SAN FRANCISCO, CALIFORNIA 94119 • AREA CODE 415 546-4600  
WRITERS DIRECT DIAL NUMBER 415-546-4660

August 19, 1976

The President  
The White House  
Washington, D. C. 20500

Mr. President:

As a concerned member of the American Food Industry we urgently solicit your opposition to and veto of any parens patriae legislation sent to you by Congress.

The far-reaching effects of parens patriae provisions could result in economic chaos for every manufacturing company in the United States. It would be an open invitation for opportunists - both lay and legal - to force business firms into sizeable "blackmail" settlements. The consumer would ultimately foot the bill in the form of higher prices while lawyers inciting such litigation would reap large legal fees and further clog the already congested court system.

It behooves you, in the interest of your constituents, to resist all unnecessary and detrimental legislation by precedent use of your veto privilege.

Sincerely,

HILLS BROS. COFFEE, INC.

  
E. J. Schultz

EJS/ref

cc: Philip W. Buchen  
John O. Marsh, Jr. ✓  
John J. Rhodes  
Hugh Scott



August 23

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHMULTS

FROM: JOHN O. MARSH, JR. *John O. Marsh, Jr.*

\_\_\_\_\_ For Direct Reply

\_\_\_\_\_ For Draft Response

XX \_\_\_\_\_ For Your Information

\_\_\_\_\_ Please Advise



*Antitrust*

*to be used in  
Antitrust  
backup*

August 23, 1976

Dear Mr. Quittmeyer:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Robert T. Quittmeyer  
President  
Amstar Corporation  
1251 Avenue of the Americas  
New York, New York 10020

cc: Ed Schmults

dl





1251 AVENUE OF THE AMERICAS, NEW YORK, N. Y. 10020 • (212) 489-9000

ROBERT T. QUITMEYER  
President

August 20, 1976

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

The Senate and House have recently passed bills giving the fifty State Attorneys General the right to file parens patriae suits for alleged price fixing overcharges and permitting the state to retain private plaintiffs' lawyers to bring such suits on behalf of the Attorney General. I respectfully urge you to veto any bill which comes to you from Congress with a parens patriae provision.

I fully support the objectives of our federal antitrust laws, and I subscribe to their vigorous enforcement with effective and suitable sanctions. Present federal law provides for severe and multiple sanctions for violations of the antitrust laws, including fines, prison terms and injunctions in actions brought by the government, and treble damages in private actions which can now be massive when brought on behalf of many members of a class.

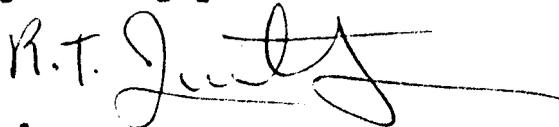
The potential mischief of the parens patriae authority is great and arises from the real likelihood that the right to bring the lawsuits will be abused by the lawyers who presently specialize in filing multi-million dollar class actions for the purpose of gaining in terrorem settlements from defendant companies. There are many examples of abuses under the existing law, where the lawyer bringing the suit is typically the largest



single beneficiary of any settlement, receiving enormous fees, while each individual "client" receives very little.

If such a parens patriae bill becomes law, the filing of suits alleging massive damages against business firms must necessarily result in those firms raising their prices to cover the enormous expense of defending the suits or disposing of them by settlement. Your veto of any parens patriae bill is necessary to avoid the abuses that will surely arise from such unfair legislation.

Respectfully yours,



cc: The Honorable Philip W. Buchen  
Counsel to the President  
The White House  
Washington, D.C. 20500

The Honorable John O. Marsh, Jr.  
Counsellor to the President  
The White House  
Washington, D.C. 20500

The Honorable John J. Rhodes  
Minority Leader  
U. S. House of Representatives  
Washington, D.C. 20515

The Honorable Hugh Scott  
Minority Leader  
U. S. Senate  
Washington, D.C. 20510



August 23, 1976

Dear Mr. MacNaughton:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Malcolm MacNaughton  
Castle and Cooks, Inc.  
Drawer 2990  
Honolulu, Hawaii 96802

cc: Ed Schmults

d1



August 18, 1976

C  
O  
P  
Y

The President  
The White House  
Washington, D.C. 20500

Dear President Ford:

I urge you to do everything in your power to keep the Parens Patriae legislation as it may be enacted from becoming effective. Giving the 50 State Attorneys General and the private legal counsel they may engage the right to proceed with purely curious witch hunts would be a disaster. Wrongs obviously must be corrected, but to give a legal counsel a hunting license based on contingency fees and no financial liability to the hunter would soon become costly indeed.

I thank you for considering these views.

Sincerely,

ORIGINAL SIGNED BY  
MALCOLM MacNAUGHTON

- cc: The Honorable Philip W. Buchen
- The Honorable John O. Marsh, Jr.
- The Honorable John J. Rhodes
- The Honorable Hugh Scott

bcc: Mr. George W. Koch (GMA)



August 24, 1976

Dear Mr. Menkart:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. John Menkart  
157 Shelter Rock Road  
Stamford, Connecticut 06903

cc: Ed Schmults

dl



August 24

THE WHITE HOUSE  
WASHINGTON

TO: Ed Schmults

FROM: JOHN O. MARSH, JR. *JOM*

\_\_\_\_\_ For Direct Reply

\_\_\_\_\_ For Draft Response

XX \_\_\_\_\_ For Your Information

\_\_\_\_\_ Please Advise



AUG 20 1976

*John Menkart*  
*157 Shelter Rock Road*  
*Stamford, Connecticut 06903*

August 17, 1976

The President  
White House  
Washington, D.C. 20500

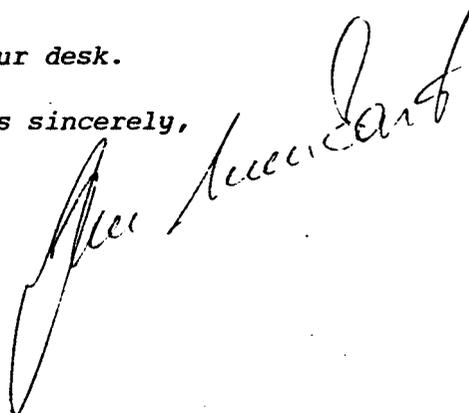
Dear Mr. President:

I am writing to let you know that I continue to be concerned about the possible passage of the Parens Patriae Bill. Even though the form in which it is likely to emerge from the Congress may be weaker than the original concept, its passage would still be a great disservice to the economy of the country. It would provide a hunting license for both individuals and States to go against business on quite trivial grounds.

I urge you to veto the Bill if it reaches your desk.

Yours sincerely,

cc: Mr. John Marsh ✓  
Counsellor to the President  
The White House  
Washington, D.C. 20500



August 24, 1976

Dear Mr. Millard:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Charles E. F. Millard  
President  
The Coca-Cola Bottling Company  
Continental Plaza North  
411 Hackensack Avenue  
Hackensack, New Jersey 07601

cc: Ed Schmults

dl



THE COCA-COLA BOTTLING COMPANY  
OF NEW YORK, INC.

CHARLES E. F. MILLARD  
PRESIDENT

CONTINENTAL PLAZA NORTH  
411 HACKENSACK AVENUE  
HACKENSACK, N.J. 07601  
(201) 487-8650

August 18, 1976

The President  
The White House  
Washington, D. C. 20500

Dear Mr. President:

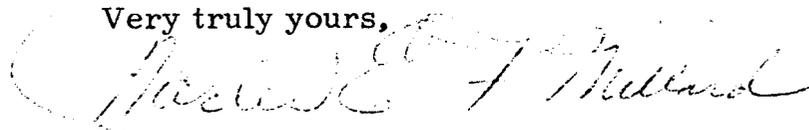
The purpose of this letter is to respectfully request that you veto any legislation which comes to your desk with a *parens patriae* section in it.

Essentially, our position is similar to that of Attorney General Levi as expressed by him on June 16th.

We view this as a totally inappropriate section of any proposed anti-trust or other legislation, and one which is contrary to your expressed position regarding over-regulation.

Thank you for your consideration of this request.

Very truly yours,



CEFM/ff

cc:

The Honorable Philip W. Buchen  
The Honorable John O. Marsh, Jr.  
The Honorable John J. Rhodes  
The Honorable Hugh Scott  
Mr. William Baroody, Jr.



August 23

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHULTS

FROM: JOHN O. MARSH, JR. 

For Direct Reply

For Draft Response

For Your Information

Please Advise



*Antitrust*

August 23, 1976

Dear Don:

Many thanks for your recent letter concerning the antitrust legislation.

I have taken the liberty of sharing your letter and the copy of the letter to the President with those here at the White House involved with this issue.

We greatly appreciate your bringing this to our attention.

With kindest personal regards, I am

Sincerely,

John G. Marsh, Jr.  
Counsellor to the President

Mr. Don A. Goodall  
American Cyanamid Company  
1625 Eye Street, Northwest  
Washington, D. C. 20006

cc:  
Ed Schmults

dl



AUG 17 1976

AMERICAN CYANAMID COMPANY  
1625 EYE STREET, N. W.  
WASHINGTON, D. C. 20006  
202 737-4800

DON A. GOODALL  
WASHINGTON CORPORATE  
REPRESENTATIVE

August 16, 1976

Mr. John O. Marsh  
Counsellor to the President  
The White House  
Washington, D. C. 20500

Dear John:

There is talk around town that the President's advisors on ~~antitrust~~ legislation may not be fully cognizant of the shortcomings of the legislation referred to in the attached copy of a letter from our Chief Executive Officer to the President.

It is for this reason that I am taking the liberty of sending you a copy. I urge that the President let the Congress know that he is not in favor of these bills as now written for the reasons outlined in the attached letter.

Sincerely,



Don A. Goodall

DAG:pau  
enclosure



August 24, 1976

Dear Mr. Evans:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John G. Marsh, Jr.  
Counsellor to the President

Mr. George D. Evans  
Vice President and General  
Manager  
Grocery Products Group  
Purex Corporation  
24600 South Main Street  
Post Office Box 6200  
Carson, California 90749

cc: Ed Schmults

dl



August 23

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHMULTS

FROM: JOHN O. MARSHALL *J. Marshall*

\_\_\_\_\_ For Direct Reply

\_\_\_\_\_ For Draft Response

XX For Your Information

\_\_\_\_\_ Please Advise



PUREX CORPORATION

CARSON, CALIFORNIA 90745

AUG 23 1976

EXECUTIVE OFFICES

August 19, 1976

The President  
The White House  
Washington, D. C. 20500

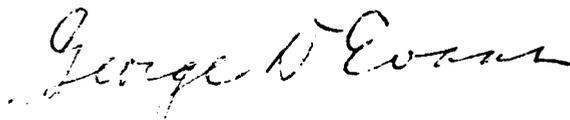
My dear Mr. President:

I am greatly dismayed by the recent legislation passed by Congress granting parens patriae authority. My concern is the negative impact of this legislation on the free enterprise system. Operating costs will undoubtedly rise, as well as consumer prices, as unscrupulous lawyers take unjustified advantage of this legislation.

I believe that our political freedoms are closely allied with our economic system. Any legislation that seriously erodes the basis of our free enterprise system ultimately erodes our personal liberties.

Your veto of this parens patriae legislation is the last hope for maintenance of moderation in this important matter.

Very respectfully yours,



George D. Evans  
Vice President & General Manager  
Grocery Products Group



GDE:img

Copy to:

The Honorable  
Philip W. Buchen  
Counsel to the President  
The White House  
Washington, D. C. 20500

✓ The Honorable  
John O. Marsh, Jr.  
Counsellor to the President  
The White House  
Washington, D. C. 20500

The Honorable  
John J. Rhodes  
Minority Leader  
U. S. House of Representatives  
Washington, D. C. 20515

The Honorable  
Hugh Scott  
Minority Leader  
U. S. Senate  
Washington, D. C. 20510



antitrust

August 24, 1976

Dear Mr. Hicks:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. L. E. Hicks  
Associate General Counsel  
Thomas J. Lipton, Inc.  
800 Sylvan Avenue  
Englewood Cliffs, New Jersey 07632

cc: Ed Schmults

dl



August 24

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHMULTS

FROM: JOHN O. MARSH, JR. *John*

\_\_\_\_\_ For Direct Reply

\_\_\_\_\_ For Draft Response

XX \_\_\_\_\_ For Your Information

\_\_\_\_\_ Please Advise



**Thomas J. Lipton, Inc.**  
800 SYLVAN AVENUE • ENGLEWOOD CLIFFS, N.J. 07632

AUG 20 1976

L. E. HICKS  
ASSOCIATE GENERAL COUNSEL

August 19, 1976

The President  
The White House  
Washington, D. C. 20500

Dear Mr. President:

Recently enacted parens patriae legislation has been sent to you for signature. I strongly urge that this potentially disastrous legislation receive your veto.

Giving the fifty State Attorneys General the right to file multi-million dollar antitrust claims for alleged price fixing overcharges, on behalf of all state residents, is shocking. But that is what the House and Senate have done. Even more appalling, the legislation would permit state-retained private "plantiffs" lawyers to bring such suits.

There is no question that this authority in the hands of State Attorneys General and private "plantiffs" lawyers will foment multi-million antitrust suits against companies such as ours for the purpose of gaining "blackmail" settlements. The potential danger was best expressed by Attorney General Levi when he recently said concerning this parens patriae authority:

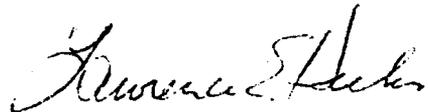
. . . the possible amount of damages can be so terrific that for a large company the threat of that kind of case is likely to be met with a settlement.



The President  
August 19, 1976  
Page 2

Only your veto can prevent this legislation from being enacted. Your consideration of the many sound reasons supporting a veto is sincerely appreciated.

Very truly yours,



Lawrence E. Hicks  
Associate General Counsel

bcc The Honorable  
Philip W. Buchen  
Counsel to the President  
The White House  
Washington, D.C. 20500

The Honorable  
John O. Marsh, Jr.  
Counsellor to the President  
The White House  
Washington, D.C. 20500

The Honorable  
John J. Rhodes  
Minority Leader  
U. S. House of Representatives  
Washington, D.C. 20515

The Honorable  
Hugh Scott  
Minority Leader  
U. S. Senate  
Washington, D.C. 20510



Antitrust

August 24, 1976

Dear Mr. Bishop:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John G. Marsh, Jr.  
Counsellor to the President

Mr. John P. Bishop  
President  
TV Time Foods, Inc.  
Post Office Box 7306  
Chicago, Illinois 60680

cc: Ed Schmults

dl



August 24

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHMULTS

FROM: JOHN O. MARSH, JR. *John O. Marsh, Jr.*

\_\_\_\_\_ For Direct Reply

\_\_\_\_\_ For Draft Response

XX \_\_\_\_\_ For Your Information

\_\_\_\_\_ Please Advise



AUG 20 1976



TV TIME FOODS, INC.

P. O. BOX 7306 • CHICAGO, ILLINOIS 60680

EXECUTIVE OFFICES / 2277 HOWARD STREET • CHICAGO, ILLINOIS 60645 / TEL. 312/743-8600

August 17, 1976

The President of the United States  
The Honorable Gerald Ford  
The White House  
Washington, D. C. 20500

Dear Mr. President:

I am taking this opportunity to advise you of my feelings regarding pending legislation in the Congress. I understand that a *parens patriae* clause has received approval in the legislature for inclusion in a current piece of legislation. As I know you are aware, *parens patriae* is designed to establish the machinery for allowing individual State Attorney Generals the authority to file suit against a company on behalf of the constituents of the state for alleged anti trust violations. This bill would also allow the State Attorney Generals to hire private lawyers to bring the suits.

I must voice my strongest opposition to this bill. It is my opinion that the cure will be much more damaging than the cause.

Let me try an analogy. In the last few years the number of consumer suits in the product liability field have increased markedly. In most instances settlements have been awarded out of court for insurance companies who are unwilling to risk a suit being awarded for the plaintiff and having to suffer the consequences for tremendous penalty payments, so this form of settlement has increased the cost of product liability insurance dramatically. The end result being the consumer pays more for her goods. I see a similar trend with this type of legislation. With the ability of a State Attorney General to delegate a private attorney to file suit, I fear the tendency would be for a substantial number of unwarranted law suits to be brought against industry. Rather than allowing the case to come to trial, many "blackmail" settlements would be arrived at. It would make the current climate for business almost impossible.

I might add that Attorney General Levi in a statement made on June 16th has a similar opinion. In addition, he foresees this as a basis for the eventual development of a governmental pricing agency to authenticate the reasonableness of prices that are charged by industry.

Having survived Phases 1, 2, 3 and 4 and having the ability now of hindsight to evaluate the serious complications that arrived from the imposition of price controls, I feel we don't need this additional imposition of government regulations.



August 17, 1976

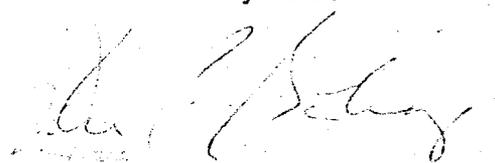
Page Two

I know you have expressed yourself on many occasions of your objective to decontrol the government's grip on business to allow for more freedom in the market place. Industry is well aware of the consumer movement and I feel that many changes have already been instigated on the basis of market needs and I also feel that this trend will continue. Surely the consumer is in a better position today than she was just a few years ago.

I truly hope that you will see fit to support my opinion and veto any legislation that would be presented to you with a *parens patriae* inclusion.

Sincerely yours,

TV TIME FOODS, INC.



John P. Bishop  
President

JPB:ns





TV TIME FOODS, INC.

POST OFFICE BOX 7306 • CHICAGO, ILL. 60680



The Honorable John O. Marsh, Jr.  
Counsellor to the President  
The White House  
Washington, D. C. 20500



antitrust

August 24, 1976

Dear Mr. Magnuson:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Richard H. Magnuson  
Vice President  
General Counsel  
Land O'Lakes, Inc.  
Post Office Box 116  
Minneapolis, Minnesota 55440

cc: Ed Schmults

dl



LAND O LAKES



QUALITY FOODS

AUG 20 1976  
LAND O LAKES®

Land O'Lakes, Inc., GENERAL OFFICES  
614 MCKINLEY PLACE • MINNEAPOLIS, MINN. 55413 • PHONE (612) 331-6330  
MAILING ADDRESS, P.O. BOX 116, MINNEAPOLIS, MINN. 55440

LAND O LAKES



FELCO®

AGRICULTURAL SERVICES

August 18, 1976

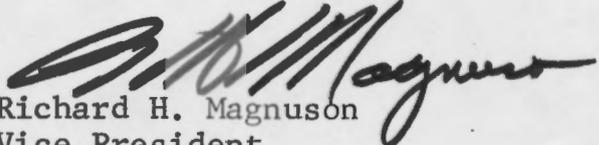
The President  
The White House  
Washington, D. C. 20500

Dear President Ford:

Land O'Lakes, Inc. and its farmer members urge you to veto any anti-trust bill which contains a parens patriae section in it.

We do not think such a bill is in the interest of farmers, consumers or the public.

Very truly yours,

  
Richard H. Magnuson  
Vice President  
General Counsel

br



August 24

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHULTS

FROM: JOHN O. MARSHALL *John Marshall*

\_\_\_\_\_ For Direct Reply

\_\_\_\_\_ For Draft Response

XX \_\_\_\_\_ For Your Information

\_\_\_\_\_ Please Advise



August 24, 1976

Dear Mr. Landis:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. R. C. Landis  
President  
Del Monte Corporation  
One Market Plaza  
Box 3575  
San Francisco, California 94119

cc:EdSchmulz

dl



August 23

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHMULTS

FROM: JOHN O. MARSH, JR. *John*

\_\_\_\_\_ For Direct Reply

\_\_\_\_\_ For Draft Response

XX \_\_\_\_\_ For Your Information

\_\_\_\_\_ Please Advise



Del Monte Corporation, One Market Plaza, Box 3575, San Francisco, CA 94119

Richard G. Landis  
President

August 20, 1976

The Honorable Gerald R. Ford  
The White House  
Washington, D.C. 20500

Dear President Ford:

Pending anti-trust legislation containing provisions which will enable private plaintiff lawyers to bring parens patriae suits poses a serious threat to U.S. business. I respectfully urge you to veto any legislation which contains the parens patriae proposal.

Such legislation, if enacted, would unleash massive litigation attacks on business enterprises. Management of business firms -- both large and small -- would have their major attention diverted from expanding business to defending against harassment. Access to capital, currently a major problem for growth-minded business, would be made more difficult when financial ratings become impaired by a proliferation of contingent liabilities arising from parens patriae suits.

Small size enterprises -- especially if they are made co-defendants in industry-wide suits, brought by 50 state attorneys and/or a multitude of private plaintiff attorneys filing class actions on a contingency fee basis -- will have their existence imperiled trying to finance costly legal defenses.

I am deeply concerned, and thus my urging that any legislation with a parens patriae provision be vetoed.

Sincerely,

  
R. G. Landis



RGL:mls

cc: Hon. Philip W. Buchen, Counsel to the President  
✓ Hon. John O. Marsh, Jr., Counsellor to the President  
Hon. John J. Rhodes, Minority Leader, U.S. House of Rep.  
Hon. Hugh Scott, Minority Leader, U.S. Senate

August 24, 1976

Dear Mr. Schacht:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Henry Schacht  
Vice President and  
Corporate Secretary  
California Cannery and  
Growers  
3100 Ferry Building  
San Francisco, California 94106

cc: Ed Schmults

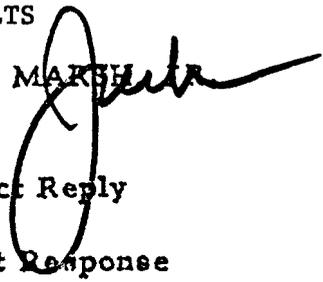
dl



August 23

THE WHITE HOUSE  
WASHINGTON

TO: ED SCHMULTS

FROM: JOHN O. MARSH 

           For Direct Reply

           For Draft Response

  XX   For Your Information

           Please Advise



August 20, 1976

The Honorable Gerald R. Ford  
President of the United States  
The White House  
Washington, D.C. 20500

Dear Mr. President:

The "parens patriae" legislation recently passed by the Senate, and which I expect will reach your desk, contains provisions which have such dangerous implications as to justify your veto.

We concur in Attorney General Levi's warning of June 16 against this legislation.

The provision for employment of private attorneys to pursue suits against business on the grounds of alleged antitrust violation adds a new and particularly objectionable facet to this legislation. The antitrust area should not become a happy hunting ground for fee-seeking attorneys.

Sincerely,

Henry Schacht  
Vice President and Corporate Secretary

HS:ct

cc: The Honorable Philip W. Buchen  
The Honorable John O. Marsh, Jr.  
The Honorable John J. Rhodes  
The Honorable Hugh Scott



August 24, 1976

Dear Mr. Sprague:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. William W. Sprague, Jr.  
President  
Savannah Foods and  
Industries, Inc.  
Savannah, Georgia

cc: Ed Schmults

dl



AUG 20 1976

**SAVANNAH FOODS & INDUSTRIES, INC.**

SAVANNAH, GEORGIA

WILLIAM W. SPRAGUE, JR.  
PRESIDENT

August 17, 1976

The President  
The White House  
Washington, D. C. 20500

Dear Mr. President:

Permit me to join other business colleagues in expressing my opposition to the comprehensive antitrust bill which is now in conference in the Congress. One of its most dangerous titles, parens patriae, would authorize every State Attorney General to bring treble damage suits against a company on behalf of all state residents for alleged antitrust violations. This bill would further allow the State Attorneys General to hire private lawyers to bring such suits.

Based on my experience as President of a Fortune 500 company and in dealing with antitrust matters in the past, it is my opinion that the two above provisions will encourage a flood of "blackmail" suits against business firms that will benefit primarily the lawyers hired to bring suits while causing higher prices for consumers, business failures and further clogging the already congested Federal court system. Since a parens patriae suit could be brought whenever there is a price change in a company's product and a similar price change in that of one of the company's competitors, then such action could result in the allegation by money-hungry plaintiffs and plaintiffs' attorneys that there was price fixing. Thus this provides a basis for such "blackmail" suits.

Therefore, speaking on behalf of the management and employees of our company, I respectfully urge you to veto this bill, S. 1284, when it comes to your desk for signature.

With best wishes, I am

Sincerely,

*W W Sprague*

cc: The Honorable Philip W. Buchen  
The Honorable John O. Marsh, Jr. ✓  
The Honorable John J. Rhodes  
The Honorable Hugh Scott  
Mr. George W. Koch



August 26, 1976

Dear Mr. Provost:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning **the** antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Daniel E. Provost  
Director of Corporate Communications  
Liggett Group Inc.  
4100 Roxboro Road  
Durham, North Carolina 27702

rs

cc: Ed Schmults



**Liggett Group Inc.**

4100 Roxboro Road, Durham, N. C. 27702

Dan Provost  
Director of Corporate Communications

August 23, 1976

The President  
The White House  
Washington, D. C. 20500

Mr. President:

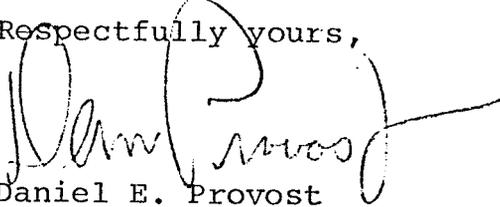
Your past record in vetoing inflationary, unproductive, and/or inequitable legislative bills has been outstanding.

I urge you strongly to veto any bills containing parens patriae features. Such legislation would be very counter-productive and destructive -- another big rip-off for special interest groups not entitled to special privileges.

Parens patriae is best characterized as immoral since it would result in large "blackmail" litigation settlements which could be severely damaging to important companies, and very unfair to their shareowners.

Thank you for your consideration.

Respectfully yours,

  
Daniel E. Provost

DP/lr

cc: The Honorable Philip Buchen  
The Honorable John Marsh, Jr. ✓  
The Honorable John Rhodes  
The Honorable Hugh Scott

August 26, 1976

Dear Mr. Brown:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Richard Nicholas Brown  
111 East Eighty-eighth Street  
New York, New York 10028

rs

cc: Ed Schmults



RICHARD NICHOLAS BROWN  
ATTORNEY AT LAW  
111 EAST EIGHTY-EIGHTH STREET  
NEW YORK, NEW YORK 10028  
TELEPHONE (212) 831-5927

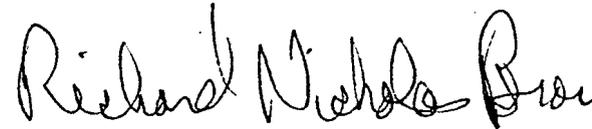
August 23, 1976

President Gerald Ford  
The White House  
Washington, D. C. 20500

Dear President Ford:

I am writing to you to express my opinion that you should veto the Parens Patriae Legislation. I feel that this legislation as enacted would serve only to promote litigation which would serve only to harm business and ultimately to harm the consumer interest by adversely affecting the economic health of the country.

Very truly yours,



Richard Nicholas Brown

RNB: da  
cc: John Marsh,  
Counsellor to the President  
The White House  
Washington, D. C. 20500



August 26, 1976

Dear Mr. Pearson:

Just a short note to thank you **for** sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Andrall E. Pearson  
Pepsico, Inc.  
Purchase, New York 10577

rs

cc: Ed Schmults



Aug 28 1976

August 19, 1976

The Honorable Gerald R. Ford  
The President  
The White House  
Washington, D. C. 20501

Dear Mr. President:

Please permit me to take this means of respectfully urging that you carry out your stated intention of vetoing the new antitrust legislation if Congress submits it to you in its present form. The so-called "Parens Patriae" provision represents a dangerous and unwarranted interference in American business and could, as stated by Attorney General Edward Levi, force companies into "blackmail" settlements and even lead to government price controls.

If these possibilities do materialize, it will be the consumer who ultimately foots the huge bill that will come in the form of higher prices, while the lawyers fomenting such litigation will reap huge legal fees. In view of this, any bill that reaches your desk containing such objectionable provisions as Parens Patriae should certainly not be signed into law.

Thank you very much for your understanding and your support of American business and your stated intention of defending it against this type of repressive regulation.

Sincerely,

Andrall E. Pearson

bcc: The Honorable Philip W. Buchen  
The Honorable John O. Marsh, Jr. ✓  
The Honorable John J. Rhodes  
The Honorable Hugh Scott



August 26, 1976

Dear Mr. Bolz:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Robert M. Bolz  
President  
Oscar Mayer & Co.  
Post Office Box 1409  
Madison, Wisconsin 53701

rs

cc: Ed Schmults





Quality Foods Since 1883

OSCAR MAYER & CO. - GENERAL OFFICES  
P.O. Box 1409 - Madison, Wis. 53701 - (608) 241-3511

August 24, 1976

The President  
The White House  
Washington, D.C. 20500

Re: Parens Patriae Legislation

Dear Mr. President:

The Senate recently passed a comprehensive antitrust bill. One of the most dangerous titles, parens patriae, would authorize every State Attorney General to bring treble damage suits against a company on behalf of all state residents for alleged antitrust violations. The bill would further allow the State Attorneys General to hire private lawyers to bring such suits. The Senate bill has recently been cleared to go to conference, with three corresponding House bills, shortly.

By far the most dangerous feature in both the House and Senate bills is the fact that private "plaintiffs" lawyers may be hired with state funds by State Attorneys General to bring parens patriae suits. This feature would enable such lawyers to file enormous "damage" claims so as to extract and share in "blackmail" settlements from the defendant company. The lawyer bringing such a suit is typically the largest single beneficiary, by virtue of the enormous attorneys fees traditionally involved in such settlements and the small stake of each individual "client."

A parens patriae suit could be brought whenever there is a price change in our product and a similar price change in that of one of our competitors. Any such price action could result in an allegation that there was price fixing, thus providing the basis for such "blackmail" suits.

Significantly, we understand that Attorney General Levi warned as recently as June 16 that the parens patriae bill, then passed by both Houses, would not only force business firms into "blackmail" settlements but may lead eventually to government price controls.

Inasmuch as the hiring of private lawyers is permitted under both the House and Senate bill there is no way, under the Conference rules, that this highly objectionable and dangerous feature can be removed from a parens patriae bill coming out of conference and being messaged to the White House. We urge you to veto any bill which come over to you with parens patriae as a part of it.

Very respectfully yours,

Robert M. Bolz  
President



cc: The Honorable Philip W. Buchen  
Counsel to the President  
The White House  
Washington, D. C. 20500

✓ The Honorable John O. Marsh, Jr.  
Counsellor to the President  
The White House  
Washington, D. C. 20500

The Honorable John J. Rhodes  
Minority Leader  
U. S. House of Representatives  
Washington, D. C. 20515

The Honorable Hugh Scott  
Minority Leader  
U. S. Senate  
Washington, D. C. 20510



August 26, 1976

Dear Mr. Redshaw:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. L. L. Redshaw  
Director  
Government Relations  
A. E. Staley Manufacturing Company  
2200 Eldorado Street  
Decatur, Illinois 62525

cc: Ed Schmults

rs





A. E. STALEY MANUFACTURING COMPANY 2200 ELDORADO STREET DECATUR, ILLINOIS 62525 TELEPHONE 217/423-44

August 23, 1976

The President  
The White House  
Washington, D. C. 20500

Mr. President:

We strongly urge the veto of any bill coming before the President which contains a parens patriae section authorizing the parens patriae treble damage suits.

We definitely believe this legislation will work against the best interest of the consumer public. This authority in the hand of every State Attorney General and private lawyer of the plaintiffs will promote millions of antitrust suits.

In the long run, the public does not benefit since cost of settlement under this legislation must be figured into the cost of doing business, which is eventually passed onto the consumer. Certainly the experience in the state of California for the increased cost of insurance due to the growth of malpractice suits has not provided either better or less costly medical care.

This legislation deprives the business community of the right to cross-examine those who claim to have been injured, thus providing the basis for "blackmail" suits.

Attorney General Levi has warned this bill will bring suits into an already clogged and overloaded court system all over the country where, in fact, it will be extremely difficult to determine there is any damage.

The largest single group to benefit from this bill will be the private lawyer--not the public.

Respectfully yours,

*L. L. Redshaw*

L. L. Redshaw, Director  
Government Relations

LLR:lm

cc: The Honorable Philip W. Buchen  
The Honorable John O. Marsh, Jr. ✓  
The Honorable John J. Rhodes  
The Honorable Hugh Scott



August 26, 1976

Dear Mr. Kaiser:

Just a short note to thank you for sending me a copy of your recent letter to the President concerning the antitrust legislation.

I have taken the liberty of sharing this letter with those here at the White House working on this issue.

Sincerely,

John O. Marsh, Jr.  
Counsellor to the President

Mr. Paul R. Kaiser  
Chairman of the Board  
Tasty Baking Company  
2801 Hunting Park Avenue  
Philadelphia, Pennsylvania 19129

rs

cc: Ed Schmults





# TASTY BAKING COMPANY

2801 HUNTING PARK AVENUE, PHILADELPHIA, PENNSYLVANIA 19129

AREA CODE 215-228-4200

AUG 25 1976

CHAIRMAN OF THE BOARD

August 20, 1976

The President  
The White House  
Washington D. C. 20500

Dear Mr. President:

Any legislation containing a parens patriae provision allowing the fifty State Attorneys General to file class action antitrust claims would subject this company - and all American business - to all sorts of nuisance suits which our insurance could not possibly cover.

This, of course, could be very damaging to American business.

May I respectfully urge you that veto any bill which comes to you with a parens patriae section in it?

Sincerely,

Paul R. Kaiser

PRK/ks

