

The original documents are located in Box 3, folder “Antitrust - Mail from Businessmen: Edward Schmults File (3)” of the John Marsh Files at the Gerald R. Ford Presidential Library.

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August 26, 1976

Dear Mr. Cormier:

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 J. Cormier
6358 Ledgewood Drive
Jamesville, New York 13078**

rs

cc: Ed Schmults



Richard J. Cormier
6358 Ledgewood Drive
Jamesville, New York 13078

AUG 12 1976

August 12, 1976

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

Dear Mr. President

I am writing to urge you to oppose in Congress and then veto so-called *parens patriae* legislation should it be passed in the near future.

Although narrower in scope than original proposals, the legislation is still unwise. The Senate substitute for H. R. 8532, which was passed June 10, 1976, still permits state attorneys general to sue as *parens patriae* for residents of the states seeking treble damages in cases alleging price fixing or patent fraud. The method of damage calculation would be unrelated to actual damages suffered by any individual and would only serve to force companies to settle rather than face the possibility of losing.

The antitrust laws should not be designed to make huge settlements or possibly force companies out of existence. Substantial penalties are called for if these laws are violated, but treble damages based on "fluid recovery" are not appropriate.

One major problem is that the taxpayer pays both ways. He pays higher taxes due to the higher cost to operate the Attorney General's office, and he undoubtedly would pay more for the product he buys since the higher cost of legal defense to the various companies would probably be recovered through higher selling prices.

Please use your influence with members of the House to kill this legislation and veto the bill if passed.

Thank you.

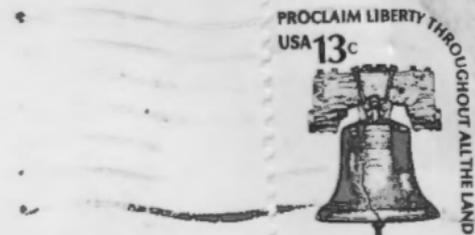
Sincerely,

Richard J. Cormier



cc: Mr. John Marsh/
Counselor to the President

Richard J. Cormier
6358 Ledgewood Drive
Jamesville, New York 13078



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

August 26, 1976

Dear Mr. Nennenmann:

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. Otto T. Nennenmann
104 Woodberry Lane
Fayetteville, New York 13066**

rs

✓ cc: Ed Schmults



Otto T. Nonnenmann
104 Woodberry Lane
Fayetteville, New York 13066

AUG 26 1976

August 12, 1976

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

Dear Mr. President:

This letter is to encourage your opposition of the parent patriae legislation in Congress and to further encourage you to veto this legislation should it be passed by Congress.

Even the modified Congressional proposals (S. 1284, H.R. 8532, etc.) permit state attorneys general to seek, as parens patriae for residents of states, treble damages in cases alleging price fixing or patent fraud. The method of damage calculation would be unrelated to actual damages suffered by any individual and would only serve to force companies to settle rather than face the possibility of losing.

The antitrust laws provide for severe penalties if the law is violated; however, they are not intended to force companies out of business. Parens patriae legislation would do exactly that.

Theoretically, this proposed legislation is intended to protect consumer rights. However, since it would be virtually impossible to identify all the consumers that were presumed to be damaged, a small minority of consumers would actually receive compensation. Further, the fear of prosecution would serve to stifle industrial initiative and competition, which in the long run is contrary to the consumers' best interest.

The legislation appears to serve only the interests of politically ambitious state attorneys general who would be motivated to prosecute business firms for the associated publicity value and the enhancement of their own careers.

Sincerely yours,

Otto T. Nonnenmann

Otto T. Nonnenmann



cc: Mr. John Marsh
Counselor to the President

O. T. Nonnenmann
104 Woodberry Lane
Fayetteville, N.Y. 13066



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

August 26, 1976

Dear Mr. Hoskins:

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 K. Hoskins
5020 Spring Grove Avenue
Cincinnati, Ohio 45232**

rs

✓ **cc: Ed Schmults**



WILLIAM K. HOSKINS

5020 SPRING GROVE AVE.
CINCINNATI, OHIO 45232

August 23, 1976

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

Dear Mr. President:

The parens patriae bill appears to be winding its way to your desk. I strongly urge you to stand by your earlier promise of vetoing the bill.

On June 16 Attorney General Levi stated as follows:

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

"One of my concerns is that you might have to save antitrust from its friends. Now what I had in mind is that if we start, and I hope we don't, a mechanism which is going to bring into being those kinds of cases all over the country with enormous damage awards where it is exceedingly hard to know whether there was in fact that damage, then I would assume that the next step would be to have some sort of a government agency authenticate the reasonableness of the prices that are charged.

"That is the kind of history which the anti-trust laws have always verged on getting into and in my book it is the particular special virtue of the kind of antitrust law that we have that we haven't gotten into it. I don't want to push the antitrust laws so far in that direction that the reaction will be 'Well, just to protect everyone wouldn't it be better if there was some kind of a price-fixing governmental board?'"

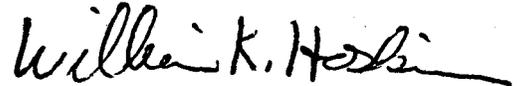


The President

Page 2
August 23, 1976

I believe that your experience with history in Michigan would indicate that the Attorney General's office of the State has historically been the most political of offices. The delivery of an extremely strong blackmail club to the most political office in a state makes no sense whatsoever.

Very truly yours,



William K. Hoskins

WKH:bjl

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





5020 SPRING GROVE AVENUE
CINCINNATI, OHIO 45232



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

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 Schmuls**





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



CONSUMER PRODUCTS GROUP
TASTYKAKE, INC.—Cakes, Pies & Cookies
BUCKEYE BISCUIT CO.—Biscuits & Cookies
LARAMI CORP.—Toys & Novelties

PRINTING SUPPLIES GROUP
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New Orleans, Jackson, Birmingham
B & T GRINDING & SUPPLY CO.—Dallas, Fort Worth, Waco



TASTYKAKE



TASTY BAKING COMPANY

2801 HUNTING PARK AVE., PHILA., PA. 19129

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



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 217/423-4411

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



A. E. Staley Mfg. Co., 2200 Eldorado St., Decatur, IL. 62525



**The Honorable John O. Marsh, Jr.
Counsellor to the President
The White House
Washington, DC 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 26 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



A. E. Pearson

PEPSICO
INC.

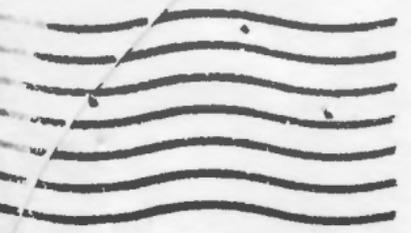
PURCHASE, N.Y. 10577



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

02500

15



U.S. POSTAL SERVICE
MA 010
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August 26, 1976

Dear Mr. Bols:

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. Bols
President
Oscar Mayer & Co.
Post Office Box 1409
Madison, Wisconsin 53701**

rs

cc: Ed Schmults



AUG 26 1976



Quality Foods Since 1883

OSCAR MAYER & CO. · GENERAL OFFICES
P. O. Box 1409 · Madison, Wis. 53701 · (608) 241-3311

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 comes over to you with parens patriae as a part of it.

Very respectfully yours,

Robert M. Bolz
President



RMB:nb

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





R. M. Bolz

OSCAR MAYER & CO.
P.O. BOX 1409
MADISON, WISCONSIN 53701



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

PET

INCORPORATED

LANDON Y. JONES
EXECUTIVE VICE PRESIDENT

PET PLAZA
400 SOUTH FOURTH STREET
SAINT LOUIS MISSOURI 63166
TEL (314) 621-5400

August 26, 1976

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

Dear President Ford:

It seems more than obvious that Congress will submit for your signature antitrust legislation that is very comprehensive.

The Senate-passed Omnibus Bill, S. 1284, and the House Bill, H. R. 8532, both incorporate sections entitled "parens patriae" which extend cause for great alarm for it seems the Conference Committee will retain this measure in the final legislation.

The parens patriae provision will become a tool for financial and political blackmail in the hands of lawyers and attorneys general. There certainly can be no consumer benefit as unfounded charges could bring financial devastation to many and create bankruptcy proceedings and work stoppages.

The proposed legislation will increase the overall cost of doing business without creating any appreciable benefits.

I favor responsible enforcement of antitrust laws from the public and private sectors. I firmly believe the current measures to be sound and prudent. If there must be a different way to deal with antitrust problems, the way must be better or progressive rather than worse and endangering.

I urge your consideration of this view and encourage your veto of this antitrust measure.



Sincerely,

A handwritten signature in cursive script that reads "Landon Y. Jones". The signature is written in dark ink and is positioned to the right of the typed name "Landon Y. Jones".

This copy for → The Hon. Philip W. Buchen
The Hon. John O. Marsh, Jr.
The Hon. John J. Rhodes
The Hon. Hugh Scott



MACARONI CO.

P O. Box 75 / Omaha, Nebraska 68101 / Telephone (402) 331-7000

Chairman of the Board
Chief Executive Officer

August 26, 1976

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

Dear President Ford:

Frankly speaking, the "parens patriae bill," which seems assured of passage in Congress, will open a Pandora's Box of antitrust suits and "blackmail" settlements unless you exercise your veto.

Parens patriae, as the bill has commonly become known, means "father of the country." If enacted, the legislation will more likely be the "father of antitrust lawyers."

Why on earth do we need private "plaintiff" attorneys, who act on appointment of a state attorney general, to reap huge profit from business through such suits? The Federal Trade Commission's job is regulation of business and antitrust action. With this bill we would open the door for "get-rich-quick" suits by ambitious lawyers, who convince the state attorney general they may have a case and are able to secure a handsome out-of-court settlement through threat of publicity a trial would bring.

Antitrust actions would be the next in a long line of lawyer's havens which started with car accidents and has now moved on to medical malpractice suits.

The danger of such legislation was pointed out by none other than Attorney General Edward Levi who noted the parens patriae bill would not only force business firms into "blackmail settlements" but may eventually lead to government price controls. (Parens patriae suite could be brought where there is a price change from a competitor.)

The consumer, which this legislation is masked as protecting, would be the loser here. Just as medical expenses have risen with malpractice suits, so could prices by businesses.

- more -

Plant & Office / 6848 F St., Omaha, Nebraska 68117



August 26, 1976

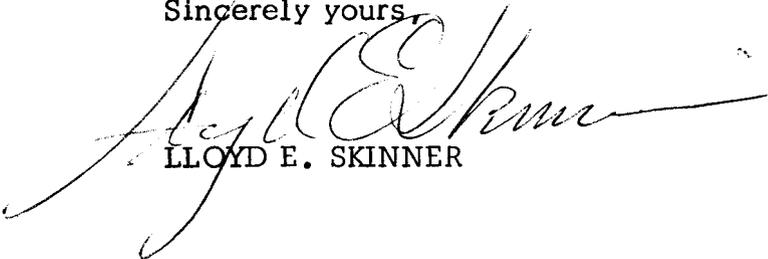
Our overcrowded court calendars would be pushed even further by parens patriae suits, which would benefit primarily the lawyers, not to mention cause business failure in some cases, drive prices higher and create the possibility of government price controls.

This is unjustified legislation to saddle our free enterprise system with. It appears that the burden of stopping this legislation rests on your shoulders.

Senator Barry Goldwater spoke of the ever creeping socialization of our society in his platform address to the Republican Convention. This bill, along with the Humphrey-Hawkins full employment fantasy, is a prime example of this.

I urge you to veto this parens patriae bill and allow the free enterprise system indeed to be "free."

Sincerely yours,



LLOYD E. SKINNER

LES:bh

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



August 26, 1976

Dear Mr. Prevost:

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. Prevost
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:

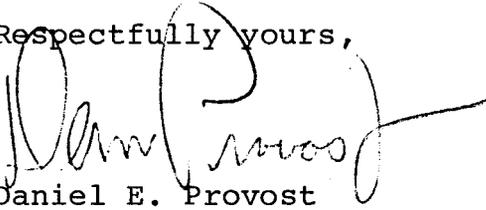
Your past record in vetoing inflationary, unproductive, and/or inequitable legislative bills has been outstanding.

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

Dan Provost

Liggett
Group

Liggett Group Inc. - 4100 Roxboro Road
Durham, N.C. 27702

THE
THIRD
CIGARETTE

LARK



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



PUREX CORPORATION

110 West First Street
London, Ohio 43140
August 26, 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,

PUREX CORPORATION

Charles F. Lane
PLANT MANAGER
London, Ohio

CFL/cfv



August 26, 1976

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

Mr. President:

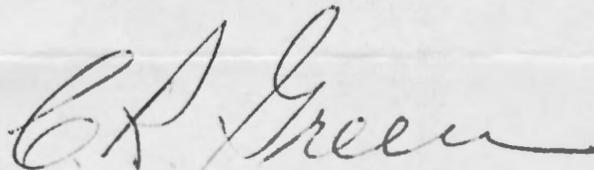
Re: Parens Patriae Legislation

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 "plaintiffs" lawyers to bring such suits.

There is no question that this authority in the hands of State Attorneys General and private "plaintiffs" lawyers will foment multi-million antitrust suits against many, many companies - - the possible amount of damages can be terrific.

We strongly urge you, President Ford, to veto any bill which comes to you with a parens patriae section in it.

Respectfully yours,



C. R. Green
427 Sheridan Road
Kenilworth, Illinois 60043



Whitman's

CHOCOLATES DIVISION **PIET**
INCORPORATED

JAMES W. NIXON
PRESIDENT

August 26, 1976



POST OFFICE BOX 6070
PHILADELPHIA PENNSYLVANIA 19114
TEL (215) 464-6000

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

Dear President Ford:

It would appear that Congress will submit, for your signature, antitrust legislation that is very comprehensive. Certain portions of this legislation could be very detrimental to industry, and we feel compelled to urge that you veto this measure, when it reaches the White House.

I refer to Senate Bill S. 1284 and House Bill H.R. 8532. Both bills incorporate sections entitled, "parens patriae".

In our opinion, this provision will become a tool for financial and political blackmail in the hands of lawyers and attorneys general. Unfounded charges could bring financial devastation to many plaintiffs, and create bankruptcy proceedings and work-stoppages. It is very questionable that any real consumer benefit will come from this activity. We strongly favor responsible antitrust enforcement and feel that current regulations are both sound and prudent. If a different way must be found to deal with antitrust problems, we would hope



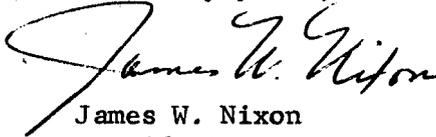
The President
The White House
Page No. 2

August 26, 1976

it would be progressive, rather than endangering.

In conclusion, I would urge your consideration of this viewpoint, and encourage you to veto what we consider to be an extremely poor antitrust measure.

Sincerely yours,



James W. Nixon
President

JWN:egc

CC: Philip W. Buchen ✓
John O. Marsh, Jr.
John J. Rhodes
Richard S. Schweiker
Hugh Scott



August 26, 1976

Dear Mr. Carroll:

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. Thomas S. Carroll
President
Lever Brothers Company, Inc.
390 Park Avenue
New York, New York 10022**

rs

✓ cc: Ed Schmults



Copy for: The Honorable John O. Marsh, Jr.

LEVER BROTHERS COMPANY

(INCORPORATED)

390 PARK AVENUE, NEW YORK, NEW YORK 10022

AUG 25 1976

THOMAS S. CARROLL
PRESIDENT

August 23, 1976

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

RE: Parens Patriae Antitrust Legislation

Dear Mr. President:

This is to urge your veto of any antitrust legislation enacted by the Congress which would authorize state attorney generals to institute treble damage lawsuits against a company on behalf of state residents for alleged antitrust violations.

Although in principle such parens patriae legislation may sound laudable and is the product of well-intentioned legislators, I am deeply fearful of its practical application, so much so that I am reminded of Justice Brandeis' oft-quoted remark:

"The greatest dangers.....lurk in insidious encroachment by men of zeal, well-meaning but without understanding."

The proposed parens patriae legislation would authorize the utilization of state funds to hire lawyers in the private sector to "vindicate" the interests of the state's



citizens. Given the potential windfall to all parties involved in bringing these actions, such a statute gives rise to the very real possibility that enormous "damage" claims will be filed on the flimsiest of grounds, the potential magnitude of which, however, could easily result in the extraction of "blackmail" settlements from a company that cannot afford to run a risk of placing its fate in the hands of a fickle jury.

Moreover, at a time when the government should be deemphasizing its role in the affairs of corporations and private citizens, I question whether federal legislation in this area is the proper approach. Each individual state has the ability after all to amend its own antitrust laws to authorize parens patriae suits in its own courts. If a state legislature, acting for its own citizens, is not convinced such legislation is a sound concept, why should the federal government by-pass the state legislative process and provide state attorney generals with access to the federal courts?

In March of this year, you announced your opposition to this form of legislation. Mr. President, your judgment at that time was, and still is, correct. I urge you to have the courage of your convictions on this issue and to veto any parens patriae legislation.

Sincerely,



Thomas S. Carroll

TSC:RL



August 27, 1976

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

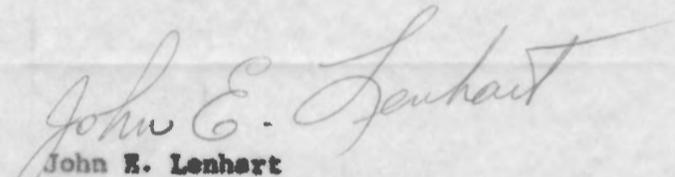
Dear President Ford:

I strongly urge your veto of the recent legislation passed by Congress granting parens patriae authority. Enactment of this legislation would have a very negative impact on our free enterprise system. Costs related to this legislation would be borne ultimately by the consumer in terms of higher prices.

Beneficiaries would be primarily those unscrupulous members of the legal profession, and the governmental agencies whose purposes are to line their own pocket or exercise more complete control over business and ultimately individual freedoms.

Your veto of the parens patriae legislation is another key to stopping further erosion of our freedom.

Very respectfully yours,


John E. Lenhart
Manager of Engineering
Grocery Products Group

JEL:gf

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



RAYMOND C. ODIOSO

5020 SPRING GROVE AVENUE
CINCINNATI, OHIO 45232

August 27, 1976

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

Dear Mr. President:

I am writing to urge you to reject the parens patriae legislation. This legislation is a blatantly punitive measure, designed to further inhibit the creativity of American business, and offers too many incentives for the fomenting of multi-million dollar antitrust suits for the primary purpose of gaining "blackmail" settlements.

There is a basic injustice to the concept, as I view it, in that it does not accomplish the ostensible purpose of protecting the consumer against sharp practices, and does not provide any disincentive for the filing of nuisance law suits by state attorneys to gain publicity. An examination of many widely publicized cases filed by FTC, and quietly dropped at a later date, demonstrates the probable outcome of this additional legislation.

Further, in justice, it would appear that an opportunity should somehow be provided for slandered companies to recover triple damages from the parties doing the suing if their innocence should be proved. Recent successful counter-suits by harassed physicians in malpractice cases provide an example of one way to reduce malpractice suits which are filed without cause. Basically, the difficulty with the present legislation is that it insures that there can be only one loser, the companies being sued.

In my opinion, this would appear to be the built-in injustice of the parens patriae legislation, which is just another example of the consistent efforts which are being made to stifle competition and the free enterprise system.

Sincerely,



Raymond C. Odioso, Ph.D.

RCO/cw

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



THE WHITE HOUSE

WASHINGTON

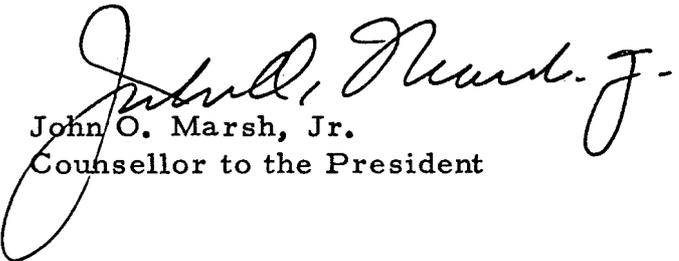
August 27, 1976

Dear Mr. Wells:

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. Ben H. Wells
The Seven-Up Company
121 South Meramec
St. Louis, Missouri 63105





August 24, 1976

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

Dear Mr. President:

I respectfully urge you to veto any legislative bill containing a parens patriae provision, that may be sent to you by the U. S. Congress.

I am greatly concerned that the parens patriae title in the recently-passed Senate bill, S. 1284, and the House bill, H. R. 8532, for example, do not provide for the intended more effective or expeditious enforcement of antitrust laws or aid to consumers. Instead, parens patriae would give State Attorneys General and private "plaintiffs" lawyers the authority to file multi-million dollar antitrust claims for alleged price-fixing overcharges against any business company, on behalf of all state residents. Parens patriae thus constructs a vehicle for "plaintiffs lawyers" to extract enormous fees for personal gain, with very little recoveries to the intended beneficiaries, the consumers.

Mr. President, your veto of any parens patriae legislation is essential for the prevention of ruinous damages to food and beverage companies and resultant increased costs of their products to consumers.

Very truly,

Ben H. Wells

BHW:lh

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





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

THE SEVEN-UP COMPANY, 121 SOUTH MERAMEC, ST. LOUIS, MISSOURI 63105



884

August 30th, 1976

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

Dear Mr. President:

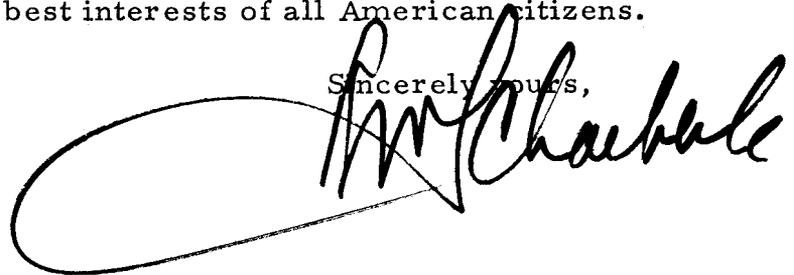
Re: Parens Patriae Legislation
S. 1284

The Senate recently passed a comprehensive antitrust bill which contains a parens patriae title which 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 House has passed a corresponding bill and we understand a joint conference will be convoked soon. We respectfully urge that you exercise your veto when this legislation is presented to you.

We trust you will agree with Attorney General Levi that the parens patriae bill is dangerous legislation as it would allow the filing of enormous damage claims aimed at extracting "blackmail" settlements from defendant companies. The bill further provides that private "plaintiffs" lawyers may be hired with state funds to bring such suits.

We sincerely believe that your exercise of the veto of this legislation would be in the best interests of all American citizens.

Sincerely yours,



R. M. Schaeberle

CC: The Honorable Philip W. Buchen, Counsel to the President
The Honorable John O. Marsh, Jr. - Counsellor to the President
The Honorable John J. Rhodes, House Minority Leader
The Honorable Hugh Scott, Senate Minority Leader





J. LLOYD LANGDON
PRESIDENT

August 30, 1976

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

Dear President Ford:

It is now apparent that Congress will submit for your signature very comprehensive antitrust legislation.

The Senate has passed Omnibus Bill, S. 1284, and the House has passed Bill H. R. 8532, both of which include sections entitled, "parens patriae." It appears likely that the Conference Committee will retain this section in the final legislation.

The parens patriae provision will become a tool for financial and political blackmail in the hands of lawyers and attorneys general. No consumer benefit will be realized if, as seems likely, unfounded charges bring financial devastation to many businesses and create bankruptcy proceedings and loss of jobs.

We favor responsible antitrust enforcement from the public and private sectors. We firmly believe the current measures, however, to be adequate, sound and prudent.

We urge your consideration of this view, and we urge that you veto this measure.

Sincerely yours,

J. Lloyd Langdon

COPY FOR:

JLL/jl

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



6901 McKissock Ave., St. Louis, Mo. 63147

August 30, 1976

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

Dear Mr. President:

Please allow me to register my deep concern regarding the recent legislation passed by Congress granting parens patriae authority. I shutter when I see our Congress giving authority to fifty State Attorneys General, and state-retained private "plaintiffs" attorneys as well, to file multi-million dollar price fixing overcharge claims against major corporations. The harrassment potential is too great, as is, the liklihood of large companies agreeing to a settlement when faced with the huge potential of the damage claim.

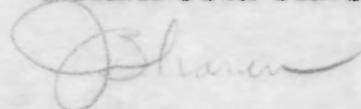
Mr. President, this type of legislation will undoubtedly increase costs of operation with a resulting increase in consumer costs. This is diametrically opposed to reducing the rate of inflation -- a reduction, which I am sure you will agree, is essential if we are to preserve our present economic system.

May we have your veto of this, and any future parens patriae legislation, which the Congress attempts to foist upon us.

Thank you.

Very respectfully yours,

PUREX CORPORATION



J. B. Craven
Plant Manager

JBC/jh

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

GDE (Carson 5)



Liggett Group Inc.

4100 Roxboro Road, Durham, N. C. 27702

Raymond J. Mulligan
President

August 30, 1976

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

Mr. President:

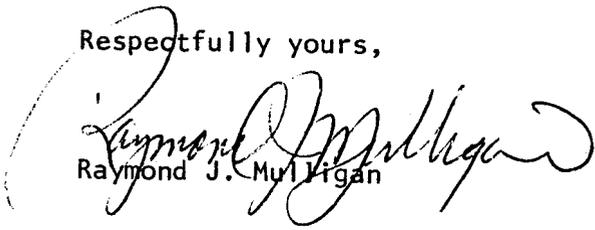
Your past record in vetoing inflationary, unproductive, and/or inequitable legislative bills has been outstanding.

I urge you strongly to veto any bills containing parens patriae features. Such legislation would be very counter-productive and destructive.

Parens patriae is immoral, as it would result in large "black-mail" litigation settlements. This could be severely damaging to important companies, and very unfair to their shareowners.

Thank you for your consideration.

Respectfully yours,


Raymond J. Mulligan

RJM:ald

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

PET

INCORPORATED

JOHN R. BITTNER
EXECUTIVE VICE PRESIDENT

PET PLAZA
400 SOUTH FOURTH STREET
SAINT LOUIS MISSOURI 63166
TEL (314) 621-5400

August 30, 1976

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

Dear President Ford:

It seems obvious that Congress will soon submit for your signature significant antitrust legislation. We feel compelled to advise you of our opposition to the legislation and to urge your veto.

There are many objectionable features of the antitrust bills recently clearing both houses, but one is of particular importance. The Senate omnibus bill, S. 1284, in Title IV, and House bill HR 8532, involve parens patriae provisions giving attorneys general authority to bring treble damage lawsuits on behalf of a state's citizenry. They, further, authorize attorneys general to engage private counsel for such litigation. Both of these provisions, it is expected, will be in the Conference Committee bill.

The parens patriae provision will be a tool for financial and political blackmail in the hands of lawyers and attorneys general. Enough of such activity is already prevalent in the antitrust field as part of class action suits. Just as class suits have not been a consumer boon, there certainly will be no consumer benefit derived from parens patriae induced complaints. As for defendant companies, the prospect of financial devastation will be monumental.

We do not oppose antitrust laws and we favor responsible enforcement from the public and private sectors. There has



however, been a lot of abusive litigation in this field. To create more laws to encourage such activity is reprehensible.

We do not perceive antitrust enforcement to be a lagging activity. If there must be a different way to deal with anti-trust problems, it must be by a method more sensible than that which would be encouraged by the proposed legislation and by a method which in itself does not induce wholesale improper conduct.

Sincerely yours,

John R. Bittner
John R. Bittner

JRB:sm

THIS COPY FOR  cc:

The Honorable
Philip W. Buchen
Counsel to the President

The Honorable
John O. Marsh, Jr.
Counsellor to the President

The Honorable
John J. Rhodes
Minority Leader
U. S. House of Representatives

The Honorable
Hugh Scott
Minority Leader
U. S. Senate



president

Libby
Libby
Libby

DOUGLAS B. WELLS

August 31, 1976

The President
The White House
Washington, DC 20500

Dear Mr. President:

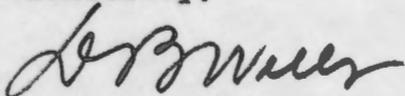
This letter respectfully requests that you veto Senate Bill S. 1284 and House Bill H.R. 8532, which have been joined for conference committee action. These two bills contain a provision for authorizing parens patriae action, which is of deep concern to me not only as a company official, but as a consumer.

With such a law in effect, business will be cast into an atmosphere of "forced" settlements for economic reasons leading directly to increased business expense as well as adding to the tax burden to support an already overcrowded court system. Such a provision, with its resultant unwarranted and unnecessary costs, if it is permitted to become law, can only also result in increased consumer prices.

Unfortunately, conference committee rules prohibit the removal of the objectionable parens patriae feature from the bills. Hence, your Office as President is the resort of last appeal to bar this feature from becoming law.

Again, Mr. President, I respectfully request that you veto the conference bill with the parens patriae provision to eliminate the inevitable result I have expressed. Further, a veto would also avoid the potential impact of an extension of the antitrust laws as publicly reflected by Attorney General Levi when he expressed the thought that the next step after a parens patriae law may be the creation of a special government agency to authenticate the reasonableness of the prices that are charged in the marketplace, which I think we all would recognize as an unnecessary extension of government into the business sector.

Sincerely,



DBW:al



HUSSMANN
REFRIGERATOR CO

2501 ST. CHARLES ROCK ROAD

ST. LOUIS, MISSOURI 63044

TEL 314 291-2000

GORDON R. GARREY

VICE PRESIDENT

August 31, 1976

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

Re: Antitrust Legislation
S.B. 1284 - H.R. 8532

Dear President Ford:

It is with great reluctance that I write you at this time for I know the tremendous pressures you are under, from both the electorate and an unfriendly Congress, trying to make your administration look bad in these hectic times. It is only out of an intense desire to be of service to our Country that I now write you and urge you to veto the present antitrust legislation heading towards you in the form of S.B. 1284, in Title IV and H.R. 8352.

I suppose it is chic today to be against business, sin, and for motherhood and lower taxes, but the insidious provisions of the aforementioned bills containing the parens patriae provision allowing attorneys general to hire private attorneys to prosecute antitrust actions via the class action route has to be the crowning blow to business in this Country.

No one, certainly not I, is against reasonable anti-trust laws and their enforcement for the medium-sized businesses are today--and always have been--the backbone of America and as such their existence must be assured through fair antitrust laws and fair enforcement.

The parens patriae provisions have proven to be unworkable in all instances where tried. In the original administration of "class actions" for the enforcement of warranties, shareholders' actions and the like, our Federal District Courts originally placed the onus and costs on the defendant corporations to notify and serve all interested parties with notice of the action. Many unscrupulous lawyers saw this as a way to immediately force



August 31, 1976

settlements from large corporations to avoid the substantial expenses created, not only in defending the litigation but just in notifying persons who might be interested in the lawsuit--even though that person had no substantial interest in the outcome. The only persons who were benefited were those "White Knights" of the legal profession.

Finally, our Federal Courts had enough. Their dockets were clogged with a maize of "class actions" and the administration of justice became radically impaired. As soon as the Court announced that the plaintiffs would have to expend the costs of notification and service-of-process, there was a dramatic decrease in such lawsuits and only those with merit survived.

By allowing our attorneys general to reinstitute these actions through alleged antitrust litigation by use of parens patriae can only result in chaos in our Courts, blackmailing of our large corporations, and benefit only to those few private lawyers who are selected to enforce the law.

In closing, I ask that you give your usual grave consideration to the consequences of S.B. 1284, in Title IV and H.R. 8532 and it is with growing concern I ask that you veto this useless, treacherous legislation.

Sincerely,



GRG:mds

cc: The Honorable Philip W. Buchen





MERCHANTS REFRIGERATING COMPANY

850 Third Avenue, New York, N. Y. 10022

Telephone: 212-752-7272

August 31, 1976

OFFICE OF THE PRESIDENT

COPY

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

Dear President Ford:

It seems obvious that Congress will soon submit for your signature significant antitrust legislation. We feel compelled to advise you of our opposition to the legislation and to urge your veto.

There are many objectionable features of the antitrust bills recently clearing both houses, but one is of particular importance. The Senate omnibus bill, S. 1284, in Title IV, and House bill HR 8532, involve parens patriae provisions giving attorneys general authority to bring treble damage lawsuits on behalf of a state's citizenry. They, further, authorize attorneys general to engage private counsel for such litigation. Both of these provisions, it is expected, will be in the Conference Committee bill.

The parens patriae provision will be a tool for financial and political blackmail in the hands of lawyers and attorneys general. Enough of such activity is already prevalent in the antitrust field as part of class action suits. Just as class suits have not been a consumer boon, there certainly will be no consumer benefit derived from parens patriae induced complaints. As for defendant companies, the prospect of financial devastation will be monumental.

We do not oppose antitrust laws and we favor responsible enforcement from the public and private sectors. There has, however, been a lot of abusive litigation in this field. To create more laws to encourage such activity is reprehensible.

We do not perceive antitrust enforcement to be a lagging activity. If there must be a different way to deal with antitrust problems, it must be by a method more sensible than that which would be encouraged by the proposed legislation and by a method which in itself does not induce wholesale improper conduct.

Sincerely yours,

Paul V. Sullivan
President

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



HENRY B. CLARK, JR.
EXECUTIVE VICE PRESIDENT

August 31, 1976

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

Dear Mr. President: ANTI-TRUST LEGISLATIVE RELATIONS

The Senate recently passed an anti-trust bill, containing one critically dangerous title, referred to as parens patriae. This bill has been cleared to go to conference with the corresponding House bills.

The passage of such legislation would vitally and adversely affect orderly anti-trust prosecution and defense; would unsupportably add to the already serious congestion in the federal courts; and would encourage the offices of the States' Attorneys General to join the already overcrowded ranks of strike-suit lawyers.

I strongly urge, and sincerely request that you veto any bill referred to you which contains a parens patriae section.

Sincerely,

Henry B. Clark, Jr.
Henry B. Clark, Jr.

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

