The original documents are located in Box 3, folder "Antitrust - Mail from Businessmen: Edward Schmults File (8)" of the John Marsh Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

September 22, 1976

Dear Mr. Nixon:

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

I have taken the liberty of sharing this metter this those here at the White House working on this matter.

We greatly appreciate your taking the time to give us the benefit of your view on this important issue.

Sincerely,

John O. Marsh, Jr. Counsellor to the President

Mr. James W. Nixon President Whitman's Post Office Box 6070 Philadelphia, Pennsylvania, 19114



cc: Ed Schmults

d1





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

JANIES W. NIXON PRESIDENT

August 26, 1976

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,

6 W. Hifm km

James W. Nixon President

JWN:egc

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





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



15 1000

POST OFFICE BOX 6070 PHILADELPHIA, PENNSYLVANA 19114

September 22, 1976

Dear Mr. Bittner:

Just a short note to thank you for sending me a copy of your 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 matter.

We greatly appreciate your taking the time to give us the benefit of your view on this important issue.

Sincerely,

John O. Marsh, Jr. Counsellor to the President

Mr. John R. Bittner Executive Vice President Pet Incorporated 400 South Fourth Street St. Louis, Missouri 63166

cc: Ed Schmults



d1



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 <u>parens patriae</u> 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 <u>parens patriae</u> 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 <u>parens patriae</u> 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,

John R. Bittuer

John R. Bittner

JRB:sm

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



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

PET PLAZA 400 SOUTH FOURTH STREET SAINT LOUIS MISSOUR 63166

September 22, 1976

Dear Mr. Schaeberle:

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

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

Sincerely,

John O. Marsh, Jr. Counsellor to the President

Mr. R. M. Schaeberle Nabisco, Inc. East Hanover, New Jersey 07936

cc: Ed Schmults .



d1



East Hanover, New-Jersey 07936

SEP 2 1976

Office of Chairman of the Board

August 30th, 1976

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

Dear Mr. President:

Re: <u>Parens Patriae</u> Legislation S. 1284

The Senate recently passed a comprehensive antitrust bill which contains a <u>parens patriae</u> 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 <u>parens patriae</u> 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.

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





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



East Hanover, New Jersey 07936

4

September 22, 1976

Dear Mr. Clark:

Just a short note to thank you for sending me a copy of your 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 matter.

We greatly appreciate your taking the time to give us the benefit of your views on this important issue.

Sincerely,

John O. Marsh, Jr. Counsellor to the President

Mr. Henry B. Clark, Jr. Executive Vice President Castle and Cooke, Inc. Drawer 2990 Honolulu, Nawaii 96802

Ed Schmults cc:

d1

CASTLE & COOKE, INC. DRAWER 2990

HONOLULU, HAWAII 96802

HENRY B. CLARK, JR. EXECUTIVE VICE PRES.DENT

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.

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



CASTLE & COOKE, INC. DRAWER 2990, HONOLULU, HAWAII 96802



AUG 31'7

The Honorable John O. Marsh, Jr. Counselor to the President The White House Office 1600 Pennsylvania Avenue Washington, D. C. 20500 September 22, 1976

Dear Mr. Craven:

Just a short note to thank you for sending me a copy of your 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 matter.

Sincerely,

John O. Marsh, Jr. Counsellor to the President

Mr. J. B. Craven Pkant Manager Purex Corporation 6901 McKissock Avenue St. Louis, Missouri 63147

cc: Ed Schmults



d1

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 patrice legislation, which the Congress attempts to foist upon us.

Thank you.

Very respectfully yours,

PUREX CORPORATION

R. FORD

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)

PUREX CORPORATION

6901 McKISSOCK AVENUE . ST. LOUIS, MISSOURI 63147



The Honorable John O. Marsh, Jr. Counsellor to the President The White House Washington, D.C. 20500 September 22, 1976

Dear Mr. Schenk:

11

Just a short note to thank you for sending me a copy of your 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 matter.

We greatly appreciate your taking the time to give us the benefit of your views on this important issue.

Sincerely,

John O. Marsh, Jr. Counsellor to the President

Mr. Boyd F. Schenk Chairman of the Board and President Pet Incorporated 200 South Fourth Street St. Louis, Missouri 61166

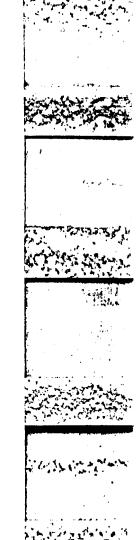
cc: Ed Schmults

dđ





BOYD F. SCHENK CHAIRMAN OF THE BOARD AND PRESIDENT PET PLAZA 400 SOUTH FOURTH STREET SAINT LOUIS MISSOURI 63166 7EL (314) 621-5400



August 24, 1976

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

Re: Impending Antitrust Legislation

Dear President Ford:

This company has made its views known to Congress concerning antitrust legislation that seems about to be sent to your desk. Our efforts, along with those of many others, have been without effect.

Both the House and the Senate have passed antitrust bills with potentially horrendous consequences to business. We expect the product of the Joint Committee to retain the features. Your office, therefore, is our final appeal. We ask that you veto the impending antitrust bill, if finally passed, and in support we address one of its offensive, but perhaps the most dangerous, features.

The Parens Patriae Provision: The antitrust legislation in both houses contains authority for state attorneys general to bring treble damage lawsuits on behalf of a state's citizenry and allows the attorneys general to engage private attorneys to file and prosecute litigation.

The purpose of the <u>parens patriae</u> provision, of course, is to negate the law as announced by the U. S. Supreme Court, and several Circuits before. If it becomes law, it will take a common law concept developed for the protection of "paupers, lunatics and other incompetents" for whom the state has historically acted as <u>parens patriae</u>, and transform The President Page 2 August 24, 1976

the concept to a tool for financial and political blackmail in the hands of lawyers and attorneys general. There certainly will be no consumer benefit.

We find such a law objectionable for many reasons, among which are:

- 1. The provision is an invitation to bring groundless antitrust complaints with virtually no restraints. It gives unscrupulous attorneys and attorneys general the power to bankrupt a business for their financial and political gain.
- 2. The financial blackmail is made possible because of the provision allowing attorneys general to engage private attorneys to bring and prosecute antitrust <u>parens patriae</u> suits. The abuses which have already arisen under the liberalized class action rules will be further extended.
- 3. Historically, the right to a lawsuit for antitrust violations has belonged to those injured by the violations. The <u>parens patriae</u> provision will eliminate the essential of proof of injury and damages. Such a provision may well be unconstitutional. Whether or not, it certainly destroys essential safeguards heretofore available for defense against exploitive suits.
- 4. Contingent liabilities in antitrust actions are potentially so huge that the mere existence of a suit against a business can have an adverse effect on its financing capability. The cost of defending is so great that this consequence is present even in the most confident circumstance that no offense has occurred. Additional laws should not be enacted to further the abilities of people willing unscrupulously to exploit circumstances having the consequence to place business in jeopardy so far as financing abilities are concerned.

Since facilitating of class action litigation by changes in the Federal Rules of Civil Procedure, the filing of class actions has grown explosively. It is no quirk that the The President Page·3 August 24, 1976

antitrust and securities fields are the prime arenas. Those intended to be covered by these laws have the resources which make the bringing of suits against them attractive. The recent history is hardly one of consumer indemnification for losses from antitrust infractions. Even in the few "big" actions awards have been consumed in administrative expenses and professional fees. There has been no boon for the little consumer. It is a canard to advance that <u>parens patriae</u> is the salvation for the ripped-off public.

<u>Parens patriae</u> legislation will exacerbate this cancerous situation that already exists in the class action field to extort substantial payments. It, too, will be no boon for the little consumer.

We hold no brief against antitrust, and we favor responsible enforcement from the public and private sectors. If there must be a different way to deal with antitrust problems - and we fail to perceive inadequacies in the presently available antitrust remedies - the way must be better. Means which do not compensate damages, but enrich those who seek to further riches of money and office, whatever the scruples, do not make for respectful laws.

Sincerely yours,

Boyd F. Schenk

BFS/seh

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



PET

PET PLAZA 400 SOUTH FOURTH STREET SAINT LOUIS MISSOURI 63166



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

TOTOTO

The White House

WAG153(1130)(2-110377G266)PD 09/22/766

1976 SEP 22 PM 12 59

WHD027 1251P EDT SEP 22 76 ICS IPMIAHA PH-1

NNB124 (CH 266)NABIGNE 202

PMS MR PHILIP V. BUCHEN

10

12

13

19

21

22

23

24 25 COUNSEL TO THE PRESIDENT

THE WHITE HOUSE OFFICE

1600 PENNSYLVANIA AVENUE, N.V.

WASHINGTON, D.C. 20500

AS ONE OF PRESIDENT FORD'S TOP ADVISERS, WE URGE YOUR SUPPORT OF A VETO OF H.R. 8532, THE ANTITRUST IMPORVEMENTS ACT. TITLE III, PARENS PATRIAE, WAS PASSED WITHOUT TWO IMPORTANT SAFEGUARDS; NAMELY, A BAN ON CONTINGENCY FEE ARRANGEMENTS AND REDUCTION OF "MANDATORY TREBLE DAMAGES" WHEN THE DEFENDANT CAN DEMONSTRATE "GOOD FAITH". ATTORNEY GENERAL LEVI IS ON RECORD AGAINST TITLE III. THE PRESIDENT FAVORS TITLE I, H.R. 13489, AND TITLE II, H.R. 13131, BOTH OF WHICH HAVE ALREADY BEEN PASSED BY THE HOUSE AND ARE PRESENTLY BEFORE THE SENATE. THUS, TWO-THIRDS OF THE BILL COULD BE PASSED WITHOUT IMPOSING DANGEROUS PARENS PATRIAE DOCTRINE.

ROBERT M. SCHAEBERLE CHAIRMAN OF THE BOARD NABISCO, INC. NNN NNN

10

11

12

14

15 16

17

18

20

21

22 23 24



```
WHD027 1251P EDT SEP 22 76
   ICS IPMIAHA PH-1
    NNB124 (CH 266)NABIGNE
                            202
   PMS MR PHILIP W. BUCHEN
  COUNSEL TO THE PRESIDENT
  THE WHITE HOUSE OFFICE
  1600 PENNSYLVANIA AVENUE, N.W.
12
13
  WASHINGTON, D.C. 20500
15
17
```

18 19

21 22

23 24

AS ONE OF PRESIDENT FORD'S TOP ADVISERS, WE URGE YOUR SUPPORT OF A VETO OF H.R. 8532, THE ANTITRUST IMPORVEMENTS ACT. TITLE III, PARENS PATRIAE, WAS PASSED WITHOUT TWO IMPORTANT SAFEGUARDS; NAMELY, A BAN ON CONTINGENCY FEE ARRANGEMENTS AND REDUCTION OF "MANDATORY TREBLE DAMAGES" WHEN THE DEFENDANT CAN 25 ATTORNEY GENERAL LEVI IS ON RECORD DEMONSTRATE "GOOD FAITH".

WAG153(1130)(2-110377G266)PD 09/22/766

AGAINST TITLE III. THE PRESIDENT FAVORS TITLE I, H.R. 13489, AND TITLE II, H.R. 13131, BOTH OF WHICH HAVE ALREADY BEEN PASSED BY THE HOUSE AND ARE PRESENTLY BEFORE THE SENATE. THUS, TWO-THIRDS OF THE BILL COULD BE PASSED WITHOUT IMPOSING DANGEROUS PARENS PATRIAE DOCTRINE. ROBERT M. SCHAEBERLE

CHAIRMAN OF THE BOARD

NABISCO, INC.

NNN

NNNN

4 5

The White Nouse Washington

FO

WHD063 444P EDT SEP 23 76 B WU TELTEX WSHB009(1640 1976 SEP 23 PM 5 01 MOT INC SHBU F

TELTEX PD SCHAUNBURG ILLINOIS

23 SEPT 76

```
PHILIP BUCHEN
```

2

12

13

15

16 17 18

19

21 22

23

24

25

26

```
THE WHITE HOUSE
```

```
WASHINGTON, D. C.
```

I AM ASSUMING YOU ARE HANDLING THIS MATTER FOR AND WITH THE PRESIDENT.

I AM SERIOUSLY CONCERNED ABOUT THE EFFECTS AND IMPLICATIONS OF TITLE III OF THE HART-SCOTT-RODINO ANTITRUST IMPROVEMENT ACT NOW AWAITING THE PRESIDENT'S SIGNATURE. IT CONSTITUTES AN ILL-ADVISED EXPANSION OF THE CLASS ACTION AND PARENS PATRIAE CONCEPTS. THE PROVISION WOULD ENCOURAGE SUITS BROUGHT BY ATTORNEYS GENERAL FOR POLITICAL MOTIVATIONS. ALSO, IT WOULD ELIMINATE THE IMPORTANT SUBSTANTIVE AND PROCEDURAL SAFEGUARDS WHICH OUR COURTS HAVE DEVELOPED SO CAREFULLY OVER THE YEARS. UNMANAGEABLE CLASS ACTIONS WOULD RESULT IN LITTLE TURE PROTECTION FOR THE CONSUMER AND UNPRODUCTIVE HARRASSMENT TO SUPPLIERS AND MANUFACTURERS. REGARDLESS OF THE MERITS OF THE REST OF THE BILL, THESE DEFECTS IN TITLE III ARE SO SERIOUS THAT THE PRESIDENT MUST NOT LET THEM BECOME LAW.

WILL LOOK FORWARD TO SEEING YOU AT A FORTHCOMING INTELLIGENCE BOARD MEETING.

25 26

10

11

13

15

16

17

19

21

23

2

3 4 5

6

2 3 4 5 6 ROBERT W. GALVIN CHAIRMAN OF THE BOARD MOTOROLA INC. SCHAUMBURG, ILL. 28-2562 DM IN THE ST PURN 0805 PRIN SALO LIBRA

```
2
3 4 5 6
       WHD063 444P EDT SEP 23 76 B WU TELTEX WSHB009(1640
                                                             1976 SEP 23 PM 5 01
       MOT INC SHBU F
       TELTEX PD SCHAUMBURG ILLINOIS 23 SEPT 76
    10
    11
    12
       PHILIP BUCHEN
    13
       THE WHITE HOUSE
    14
    15
       WASHINGTON, D. C.
    16
    17
    18
       I AM ASSUMING YOU ARE HANDLING THIS MATTER FOR AND WITH THE
                                                                           RAL0
    19
       PRESIDENT.
    20
    21
    22
       I AM SERIOUSLY CONCERNED ABOUT THE EFFECTS AND IMPLICATIONS OF
    23
    24
       TITLE III OF THE HART-SCOTT-RODINO ANTITRUST IMPROVEMENT ACT
    25
       NOW AWAITING THE PRESIDENT'S SIGNATURE.
                                                   IT CONSTITUTES
    26
```

AN ILL-ADVISED EXPANSION OF THE CLASS ACTION AND PARENS PATRIAE CONCEPTS. THE PROVISION WOULD ENCOURAGE SUITS BROUGHT BY ATTORNEYS GENERAL FOR POLITICAL MOTIVATIONS. ALSO, IT WOULD ELIMINATE THE IMPORTANT SUBSTANTIVE AND PROCEDURAL SAFEGUARDS WHICH OUR COURTS HAVE DEVELOPED SO CAREFULLY OVER THE YEARS. UNMANAGEABLE CLASS ACTIONS WOULD RESULT IN LITTLE TURE PROTECTION FOR THE CONSUMER AND UNPRODUCTIVE HARRASSMENT TO SUPPLIERS AND MANUFACTURERS. REGARDLESS OF THE MERITS OF THE REST OF THE BILL, THESE DEFECTS IN TITLE III ARE SO SERIOUS THAT THE PRESIDENT MUST NOT LET THEM BECOME LAW.

WILL LOOK FORWARD TO SEEING YOU AT A FORTHCOMING INTELLIGENCE BOARD MEETING.

25 26

11

13

14 15

16

17 18

19

20 21 22

23 24

20

3 4 5

ROBERT W. GALVIN CHAIRMAN OF THE BOARD MOTOROLA INC. SCHAUMBURG, ILL. 28-2562 DM





The Quaker Oats Company, Merchandise Mart Plaza, Chicago, Illinois 60654

Group Vice President Law and Public Affairs

September 23, 1976

Honorable Edward Schmults Deputy Counsel to the President The White House Office 1600 Pennsylvania Avenue, N.W. Washington, D.C. 20500

Dear Mr. Schmults:

Please accept my sincere thanks for recently taking time from your busy schedule to hear Quaker's views concerning <u>parens patriae</u>. As I indicated, we view that portion of the pending bill as a reprehensible means for enriching a few private lawyers at the expense of the public.

Sincerely yours,

Luther C. McKinney

A FORDER

LCM:vj

Plant Address: Engineers Road Belle Chasse, La. 70037 U.S.A.



Mailing Address: P. O. Drawer P Belle Chasse, La. 70037 U.S.A.

OIL MOP, INC.

NEW ORLEANS, LOUISIANA 24 Hr. Phone (504) 394-6110 Telex 587-486

September 23, 1976

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

Re: Parens Patriae Legislation

Dear Mr. President:

I strongly urge you to veto any bill which comes to you with a parens patriae section in it. I refer to recent legislation passed in the Senate forming part of a comprehensive anti trust bill. It is my understanding that the bill has been cleared to conference along with three corresponding House bills for review.

I am deeply concerned over the possible ramifications that this form of legislation could produce under our free enterprise system. While this type of legislation might be beneficial to private attorneys, and would place enormous authority with the fifty State Attorneys General, I do believe that the end result will be disastrous. This form of legislation can only serve to increase consumer costs and clog court rooms with a myriad of lawsuits alledgeing price fixing or anti trust violations.

Again, I urge you to veto any such legislation which would, in effect, stifle the free enterprise system as we know it.

Trusting in your judgement, I remain,

Very truly yours,

OIL MOP-INC Kelvin J. SNIV President



KJS/1ws

CC: The Honorables:

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

(arnation

World Headquarters

5045 Wilshire Boulevard Los Angeles, California 90036 Telephone: (213) 931-1911

September 23, 1976

The Honorable Philip W. Buchen Counsel to the President The White House 1600 Pennsylvania Avenue, N.W. Washington, D. C. 20500

Dear Mr. Buchen:

I strongly urge you to recommend to President Ford that he veto the antitrust legislation now awaiting his action.

While I favor strong antitrust enforcement and believe such enforcement to be necessary to a free enterprise system, the present bill, and particularly the Parens Patriae section, will:

Encourage blackmail antitrust suits against business firms;

Will have an adverse impact on economic recovery;

Has the potential of being especially harmful on small and medium businesses; and

The burden (dollars and cents) will be finally borne by the consumer during this period wherein everybody is so rightfully concerned about inflation.

Responsible antitrust legislation may be needed. HR 8532 is not such legislation.

Sincerely yours,

tf Stuart

Dwight L. Stuart President



DLS:ab

September 23

* THE WHITE HOUSE WASHINGTON

TO: ED SCHMULTS FROM: JOHN O. MARSH, JR, _____For Direct Reply _____For Draft Response _____X_For Your Information _____Please Advise



THE WHITE HOUSE

WASHINGTON

September 23, 1976

Dear Mr. Lamothe:

Thank you for your telegram indicating your views on the antitrust legislation.

I appreciate your communicating them to us and they will be carefully considered. I have also brought them to the attention of members of the President's staff who have been working on this subject.

Sincerely,

John O. Marsh, Jr.

Counsellor to the President

Mr. W. E. Lamothe President Kellogg Company Battle Creek, Michigan 49015



SEP 20 1976

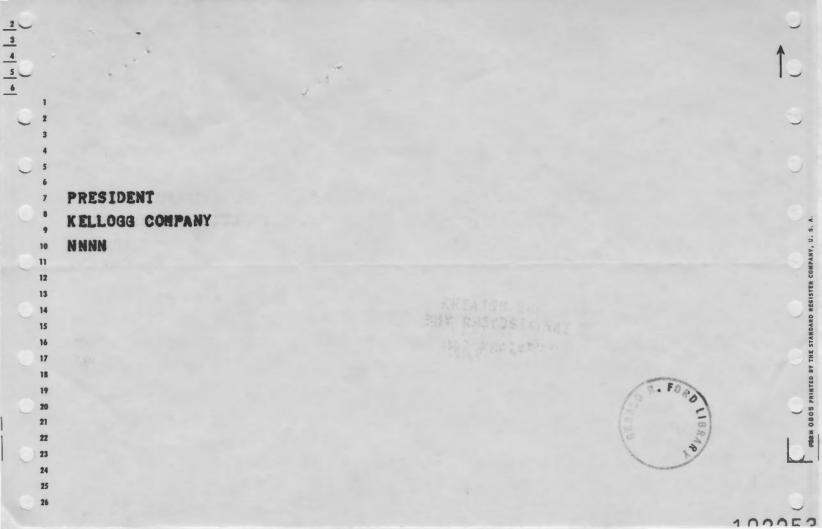
The Weshington

WAC200(1448)(2-021707C261006)PD 09/178 1976 SEP 17 PM 4 47 430P EDT SEP 17 76 WHD 024 TLX KELLOGG BAC C BATTLE CREEK MICH 091776 ZCZC 07 CHARLES LEPPERT., JR., SPECIAL ASSISTANT FOR LEGISLATIVE AFFAIRS PHS PLS HAND DELV 10 11 THE WHITE HOUSE 12 WASHINGTON, D.C. 20500 13 HR 8532 AS PASSED BY THE HOUSE YESTERDAY RETAINS THE "PARENS PATRIAE" 14 15 TRIPLE DAMAGE IONTI GENCY SEE PROVISION. THIS COULD INSPIRE LAWSUITS 16 17 BY PRIVATE LAW FIRMS TO COLLECT LARGE FEES CONTINGENT UPON WINNING 18 THE CASE, REGARDLESS OF GOOD FAITH OR IGNORANCE OF BREAKING ANTI-19 20 TRUST LAWS. 21 22 23

WE ARE CONVINCED THAT THIS IS WRONG. WE ASK YOU TO LEND YOUR SUPPORT IN URGING THE PRESIDENT TO VETO THIS BILL.

W. E. LANOTHE

26



```
The Mubite Maune
                                                          an a a h in a f a a a a
            1257P EDT SEP 23 76
                                       WAB143(1147)(2-012245D267-001)PD 09/2
   WHD050
                                                     1976 SEP 23 PM | 18
   ICS IPMWAWF WSH
   SUSPECTED DUPLICATE: 2-020355E267 WAF 127 ICS IPMBNGZ CSP
    6123316330 TDBN MINNEAPOLIS MN 42 09-23 1124A EST
   PMS PHILLIP V BUCHEN, DLR
   WHITE HOUSE OFFICE BLDG 1600 PENNSYLVANIA AVE
11
12
   WASHINGTON DC 20500
13
14
15
   BT
16
   LAND O' LAKES, INC AND ITS FARMER MEMBERS URGE YOU TO ASK PRESIDENT
18
   FORD TO VETO S. 1284 CALLING FOR PARENS PATRIAE ANTITRUST
19
   LEGISLATION.
21
22
   WE DO NOT FEEL THAT SUCH A BILL IS IN THE INTEREST OF FARMERS.
23
   CONSUMERS, OR THE PUBLIC.
24
25
     RALPH HOFSTAD PRESIDENT LAND O' LAKES INC
```

2

3 4 5 NNNN FOR ERALO LIBRAD

```
WHD050
          1257P EDT SEP 23 76
                                      WAB143(1147)(2-012245D267-001)PD 09/28
                                                    1976 SEP 23 PM 1 18
   ICS IPMWAWF WSH
  SUSPECTED DUPLICATE: 2-020355E267 WAF 127 ICS IPMBNGZ CSP
    6123316330 TDBN MINNEAPOLIS MN 42 09-23 1124A EST
   PMS PHILLIP W BUCHEN, DLR
10
   WHITE HOUSE OFFICE BLDG 1600 PENNSYLVANIA AVE
12
   WASHINGTON DC 20500
13
14
15
   BT
  LAND O' LAKES, INC AND ITS FARMER MEMBERS URGE YOU TO ASK PRESIDENT
  FORD TO VETO S. 1284 CALLING FOR PARENS PATRIAE ANTITRUST
18
  LEGISLATION.
21
22
   WE DO NOT FEEL THAT SUCH A BILL IS IN THE INTEREST OF FARMERS.
23
24
   CONSUMERS, OR THE PUBLIC.
25
     RALPH HOFSTAD PRESIDENT LAND O' LAKES INC
26
```

2

4 5 6

3 4 5 6 -NNNN FORM OBOS PRINTED BY THE STANDARD REGISTER COMPANY, U. S. A. FORD 8. 07.13 LIBRAN

The White Rouse Bachington

WHD029 1055A EDT SEP 23 76 WAE092(0943) (26012105E2670PD209/23/760 ICS IPMBNGZ CSP

3016677313 TDBN HUNT VALLEY MD 42 09-23 0940A EST

PMS PHILIP W BUCHEN, COUNCIL TO THE PRESIDENT

THE WHITE HOUSE

2

3 4 5

6

10

11 12

13

15

16

17

19

WASHINGTON DC 20500

STRONGLY URGE YOU TO USE YOUR INFLUENCE WITH PRESIDENT FORD TO ADVISE HIM TO VETO THE SENATE VERSION OF H.B. 8532 PARENS PATRIAE ANTI-TRUST LEGISLATION BECAUSE OF THE INHERENT DANGERS IT CONTAINS AGAINST THE IMPROVING STABILITY OF OUR NATIONAL BUSINESS COMMUNITY. HARRY K WELLS, PRESIDENT, MCCORMICK AND COMPANY INCORPORATED NNNN
 WHD029
 1055A EDT SEP 23 76
 WAE092(0943)(2-012105E267)PD 09/23/768

 ICS IPMBNGZ CSP
 II 02

3016677313 TDBN HUNT VALLEY MD 42 09-23 0940A EST PMS PHILIP W BUCHEN, COUNCIL TO THE PRESIDENT

THE WHITE HOUSE

2

12

13

14

16

17

" WASHINGTON DC 20500

STRONGLY URGE YOU TO USE YOUR INFLUENCE WITH PRESIDENT FORD TO ADVISE HIM TO VETO THE SENATE VERSION OF H.B. 8532 PARENS PATRIAE ANTI-TRUST LEGISLATION BECAUSE OF THE INHERENT DANGERS IT CONTAINS AGAINST THE IMPROVING STABILITY OF OUR NATIONAL BUSINESS COMMUNITY. HARRY K WELLS, PRESIDENT, MCCORMICK AND COMPANY INCORPORATED NNNN

