

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
9-3-57	Complaint filed, with attached "Exhibit A"; and Affidavit filed.			
9-4-57	Summons issued: Two copies of summons & one copy of Complaint & Exhibit to be served on Hooper Love, statutory agent for deft., West Kentucky Coal Company. Two copies of summons & one copy of Complaint & Exhibit to be served on John J. Teague, statutory agent for deft., Nashville Coal Company, Inc. Original & two copies of Summons (One copy certified), Certified copy of Complaint & Exhibit, original of Affidavit, attested copy of Court Order of 9-4-57, Atty. Keeble's \$2.00 Check payable to Sec. State, to be served on Secretary of State of Tennessee for deft., Nashville Coal Company. (All above listed proceedings delivered to U. S. Marshal)			
9-4-57	Order entered, directing and setting the time within which the defendant Nashville Coal Co, shall file its defense.			
9-6-57	Summons for Nashville Coal, Inc., returned executed and filed. MFE \$2.00.			
9-6-57	Summons for Nashville Coal Co. returned by U. S. Marshal showing service made on Secretary of State. MFE. \$2.00. (Ret. for \$2.00 for Sec. State attached)			
9-6-57	Summons for West Kentucky Coal, Co. returned executed and filed. MFE \$2.50.			
9-10-57	Summons for Nashville Coal Co. with Sec. of State's Return, with certification of service, upon Nashville Coal Co., c/o Mark E. Eastin, Jr. West Ky. Coal Co., Madisonville, Ky., along with affidavit of Sec. State and Registered Receipt Card, -filed.			
9-20-57	Order entered directing that defendants' time be extended to and including to & including Oct. 7, 1957, to file its defense.			
10-7-57	*Answer of the Defendants, filed, (with attached exhibit "1") Certificate of Service attached.)			
4-25-58	Motion filed by plaintiff to put cause on PRETRIAL Docket, and			
4-25-58	Grounds (brief) for plaintiff's motion to place the above cause on Pretrial, with letter of service.			
5-13-58	* Order entered, placing this cause on the Pretrial Docket. (Attested copy of same mailed to all counsel of record)			
6-6-58	* Defendants' Motion for Summary Judgment, & Affidavit of R. R. Kramer with attached Exhibit - A; -filed. (Certificate of Service attached)			
6-6-58	* Defendants' Memorandum of Points and Authorities in Support of Motion for Summary Judgment, - filed. (Certificate of Service attached)			
7-11-58	Notice of Cross-Motion filed by Plaintiff's, certificate of service attached.			
7-11-58	Plaintiff's Cross-Motion for Summary Judgment filed, certificate of service attached.			
7-11-58	Affidavit of William C. MacInnes, exhibit "A" attached			
7-11-58	Memorandum of points and authorities in support of Plaintiff's Cross motion for summary judgment and in opposition to defendant's motion for			

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7-30-58	Defendant's Reply Memorandum on the Motion and Cross-Motion Motion for Summary Judgment, filed.			
8-11-58	Transcript of a Portion of the Proceedings, before the Court, on Motions, on July 31, 1958, - filed. (Ribbon copy to Atty. Sims)			
8-11-58	Transcript of the Proceedings, on Motions before the Court, on July 31, 1958, - filed. (Ribbon Copy & carbon copy to Atty. Keeble)			
8-13-58	Plaintiff's Reply Memorandum on the Motion and Cross-Motion for Summary Judgment, with certificate of service attached, - filed.			
8-13-58	Supplementary Affidavit of Charles H. Schwaner, with certificate of service attached, - filed.			
8-14-58	Defendants' Supplemental Reply Memorandum, - filed.			
9-25-58	O. C. R.'s Stenotype notes filed of motion heard before Judge Wm. E. Miller July 31, 1958.			
11-18-58	* OPINION of the COURT - entered. Defendant's Motion for a Summary Judgment should be sustained and the Plaintiff's similar Motion overruled. (Attested copy of Opinion mailed to all counsel of record)			
12-4-58	*ORDER OF FINAL JUDGMENT, entered. Ordering that: (1) The Contract of May 23, 1955, as supplemented & amended between Pltff. & the Defts. is in violation of Sec. 3 of the Clayton Act, 15 U.S.C. Sec. 14. (2) By reason of aforesaid violation of the Clayton Act, said contract is illegal, void and unenforceable. (3) Plaintiff has no cause of action and is entitled to no relief, against any or all of the defendants on account of the repudiation of said contract, etc. (4) Plaintiff's complaint for declaratory judgment and this action be & they are hereby finally dismissed on the merits and with prejudice. (5) Defendants are entitled to have and recover from plaintiff their costs in this action & to have execution therefor. (Order signed by all counsel of record and photostatic copy of Order mailed to all counsel of record)			
12-15-58	*Notice of Appeal - filed by the Plaintiff, Tampa Electric Co. (Certificate of Service attached.)			
12-15-58	*Bond for Costs on Appeal - filed by the Plaintiff, Tampa Electric Company.			
12-16-58	Record on Appeal forwarded to U. S. Court of Appeals, Sixth Circuit, Cincinnati, Ohio. (Copy of each the Clerk's Certificate & Index, & the Docket Entries, mailed to all counsel of record)			
12-22-58	Acknowledged receipt of the Record on Appeal received from the U. S. C. A. showing case on appeal docketed as No. 13,775.			
4-29-60	*Mandate, Affirming the Judgment of the District Court; Opinion; & Certified Record on Appeal; & received & filed from the U.S.Ct. Appeals Cincinnati, Ohio. (Acknowledged receipt of same mailed to U.S.C.A.)			

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3-31-61	*Plaintiff's motion for the entry of a declaratory judgment and for the establishment of a date for hearing on the issue of damages, certificate of service attached.			
4-3-61	*Judgment and Opinion received for entry from the United States Supreme Court, Washington 25, D. C. Acknowledged receipt of same mailed to Mr. James R. Browning, Clerk, Supreme Court, Washington, D. C. Ordered by the Supreme Court of the United States that this cause be and the same is hereby remanded to the U. S. District Court for the Middle District of Tennessee for further proceedings not inconsistent with the Opinion of this Court. It is further Ordered that the said petitioner, Tampa Electric Company, recover from Nashville Coal Company, et al. Five Hundred and Sixty-seven Dollars and Eighty-Nine Cents (\$567.89) for their costs herein expended and have execution therefor. Clerk's costs, \$226.44 and Printing record, \$341.45, total: \$567.89. Mr. Justice Black and Mr. Douglas are of the opinion that the District Court and the Court of Appeals correctly decided this case and would therefore affirm their judgments.			
5-1-61	Order that plaintiff's cross-motion for summary judgment is granted and defendants' motion for summary judgment is denied, the contract between plaintiff and Potter Towing Co. is a valid, lawful and enforceable contract and is binding upon the plaintiff and defendants, according to its terms, etc. filed.			
5-9-61	Letter of Attorney David Keeble withdrawing plaintiff's motion for a declaratory judgment and for the establishment of a date for hearing on the issue of damages, filed.			
5-15-61	*Plaintiff's Motion for the Establishment of a Hearing Date on the Damage Issue; For the Award, After Hearing, of Damages accrued to March 31, 1961 in the amount of \$3,750,624.98; and for the Court to retain Jurisdiction to assess damages incurred subsequent to March 31, 1961, -filed by the Plaintiff.			
5-15-61	Memorandum Brief in Support of Motion for the Establishment of a Hearing Date, etc. - filed by the Plaintiff.			
5-15-61	Notice of Motion and Certificate of Service relative to each: Motion, Brief & Notice, -filed by the Plaintiff.			
6-7-61	*Defendants answer to complaint and motion for award of damages filed, certificate of service attached.			
6-9-61	Demand for Jury Trial filed by defendants. Copy mailed Attorneys for pltf.			
6-9-61	Plaintiff's statement of position filed.			

CIVIL DOCKET 8.

TAMPA ELECTRIC CO. -vs.- NASHVILLE COAL CO., ET AL.

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6-22-61	*Motion for Order to Produce Under Rule 34 of the Federal Rules of Civil Procedure; Affidavit of Defendants' President in Support of Motion for Order to Produce Under Rule 34, etc.; Notice of Motion addressed to Hooker, Keeble, Dodson & Harris, Pltff.'s Attys.; and Certificate of Service attached; -filed by the Defendants.			
6-23-61	Pre-Trial Order entered. Attested copy mailed Attorneys of Record.			
7-10-61	Defendants' memorandum of points and authorities submitted in accordance with pre-trial order of June 23, 1961, filed. Letter of certificate of service attached.			
7-10-61	Memorandum of plaintiff on issues raised at pre-trial conference filed.			
7-20-61	Defendants' Reply Memorandum filed. Certificate of service in letter.			
7-20-61	Plaintiff's Memorandum in Reply to Defendants' Brief filed. Certificate of service attached.			
7-27-61	*Order entered ordering (1) That the Court in the exercise of its discretion pursuant to Rule 39(b) of the Federal Rules of Civil Procedure, being of the opinion that the defendants upon their motion are entitled to a trial by jury of the issues arising upon the plaintiff's motion for award of damages, it is not necessary to determine whether defendants are entitled to a jury trial as of right. (2) That the action be placed upon the jury calendar for the hearing provided for by the said pre-trial order of 7-23-61 upon the plaintiff's motion for award of damages. (3) That the plaintiff having stated in its brief that it would be prepared to prove at the hearing its total damages and would not continue to urge the procedure of retaining the action in court for a periodic adjudication of prospective damages, the question of the Court's authority to retain jurisdiction of the action for such purpose has become moot & need not be decided. (4) That all other questions & issues, including all questions pertaining to the duty to minimize damages, the effect & relevance of the actual prices paid by the plaintiff, the proper measure of damages upon the facts to be developed by the evidence, & the form of submission of the issue or issues to the jury, are reserved until the hearing. (5) That in accordance with the standing rule of this Court, the parties submit to the Court not later than 10 days before the hearing a trial brief dealing with all the factual & legal questions & issues expected to arise at or during the hearing. (Attested copy of Order mailed to all counsel of record.)			

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8-18-61	O.C.R. Stenotype Notes filed of all proceedings on June 12, 1961. (One Volume - See File Drawer)			
9-15-61	Motion for Adjournment of Trial Date with Affidavit of Harry Livingston Barrett filed on behalf of the defendants. (copy to opposing counsel in open court).			
9-20-61	Order Requiring Production of Plaintiff's Documents under Rule 34 of the Federal Rules of Civil Procedure entered. (Attested copies to all Attys.)			
9-27-61	Second Pre-Trial Order entered. Attested copy all attys of record.			
9-25-61	O.C.R. Stenotype notes of all proceedings had on September 15, 1961, filed. (Two Volumes - See File Drawer).			
11-3-61	Notice to take Deposition of Peabody Coal Co., 301 Olive Street, St. Louis 2, Missouri, by & through its President Merl C. Kelce and its Vice President R. J. Snider, at 10:00 A.M., on November 28, 1961, in Room 504, U. S. Court House & Customs House, 1114 Market St., St. Louis, Missouri, with certificate of Service attached, filed.			
11-3-61	Notice to take Deposition of Mid-South Towing Co., & Gulfcoast Transit Co., 301 Olive St., St. Louis 2, Missouri, by and through the following officers: R. J. Snider, K. R. Dawson, Harold Harris, Noble Gordon on November 28, 1961, at 10:00 A. M., IN Room 504, U. S. Court House & Customs House, 1114 Market St., St. Louis, Missouri, with certificate of service attached, filed.			
11-29-61	Deposition Subpoena for Mid-South Towing Co. & Gulfcoast Transit Co., by & through their president, Noble Gordon; Peabody Coal Co. by and through its president Merl C. Kelce; Mid-South Towing Co. & Gulfcoast Transit Co. by & through their treasurer, K. R. Dawson; Mid-South Towing Co. & Gulfcoast Transit Co. by & through their asst. secty. Harold Harris; Peabody Coal Co. by & through its vice president, R. J. Snider; Mid-South Towing Co. & Gulfcoast Transit Co. by & through their vice president R. J. Snider, to appear 11-28-61, at 10:00 A.M., at Room 504, U. S. Courthouse, 301 Olive Street, St. Louis 2, Missouri, returned by U.S. Marshal executed and filed. MFE \$3.00.			
12/11/61	Notice to Take Deposition filed by defendants; Certificate of Service on page 2.			
12-22-61	Subpoena returned executed by U. S. Marshal as to Love & Amos Coal Co., Thompson Lane, Nashville, Tenn., by & through its President John Amos, to be taken on 12-20-61 at the offices of Bass, Berry & Sims, American Trust Bldg., Nashville, Tenn., at 9:30 A. M. MFE \$1.60			
1-22-62	Trial Brief filed by Plaintiff. Certificate of service attached.			
1-22-62	Trial Brief filed by defendants. Certificate of service attached.			

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1-22-62	Subpoena to produce issued for John H. Amos, c/o Clarence Evans, Third National Bank Bldg., Nashville, Tennessee, for Feb. 6, 1962, at 9:00 A.M., on behalf of Deft.	
1-22-62	Subpoena for John H. Amos returned executed in full.	
1-24-62	Deposition subpoena for Virginia-Carolina Chemical Corporation, 401 East Main Street, Richmond, Virginia, by and through its General Counsel, R. D. Smith and its officer, E. C. Adams, at 10:00 A.M., ON January 26, 1962, at the offices of Hunton, Williams, Gay, P. Powell & Gibson, 1003 Electric Building, Richmond, Virginia, with certificate of service attached. (A copy handed Atty. for Deft.)	
1-29-62	*Defendants' answer to plttf's supplemental motion for the award, after hearing, of damages in the amount of \$3,964,670.98, with letter of certificate of service attached, - filed.	
2-1-62	Deposition of Mark E. Eastin, Jr. filed on behalf of the plaintiff.	
2-1-62	Depositions of William C. MacInnes, H. L. Culbreath, Jr., A. Darby Jones, C. H. Schwaner, Fischer S. Black, H. L. Culbreath, Jr., William J. Campbell, Jr., Keck R. Dawson, (2 volms) Noble L. Gordon R. J. Snider, and Lee M. Geissal, filed on behalf of the defendants.	
2-1-62	Stipulation filed as to Supplemental Exhibits.	
2-5-62	Subpoena dues tecum issued for Charles R. Griffith, President, Southern Coal & Coke Co., Hamilton Bank Bldg., Knoxville, Tenn., to appear February 7, 1962, at 9:00 A.M., on behalf of defts. (Handed to atty. to serve.)	
2-9-62	Subpoena returned executed as to Charles R. Giffith.	
2-13-62	Subpoenas to testify issued for Mr. R. J. Snider, Capitol Park Inn, Nashville, Tenn., and for Mr. Keck R. Dawson, Capitol Park Inn, Nashville, Tenn., to appear 2-14-62 at 9:00 A.M., in U.S. District Courtroom #1, Nashville, Tennessee, on behalf of defts.	
2-16-62	Subpoenas to testify for R. J. Snider and Keck R. Dawson returned unexecuted.	
2-20-62	Order entered that the plaintiff and the defendants shall have to and including April 17, 1962 within which to file simultaneous briefs and proposed findings and conclusions of law, and shall have to and including May 17, 1962 within which to file reply briefs. Thereafter, the Court will notify counsel as to a date for oral arguments. Attested copy mailed to Attorneys of record.	

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2-16-62	Transcript of proceedings on February 1, 1962 at Nashville, Tenn., - filed by O.C.R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 2, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 6, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 7, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 9, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 12, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 13, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 14, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-16-62	Transcript of proceedings on February 15, 1962, at Nashville, Tenn., - filed by O. C. R. (Orig. copy filed.)	
2-29-62	Order entered Ordering that the transcript of record consisting of testimony taken in open court during the period Feb. 1 through Feb. 16, 1962, shall be corrected as indicated on the pages annexed hereto, numbered consecutively 1 through 14. (Attys. advised by letter order entered.)	
3-31-62	Transcript of all of the testimony and of other proceedings in part on February 1, 2, 6, 7, 8, 9, 12, 13, 14, 15 and 16, 1962, filed by the Official Court Reporter. (Filed in eleven parts.) (Carbon copy filed)	
5-17-62	Defendants' Brief and Defendants' Findings of Fact and Conclusions of Law with letter of certificate of service - filed.	
5-17-62	Plaintiff's Brief and Plaintiff's Proposed Findings of Fact and Con- clusions of Law with certificate of service - filed.	
6-7-62	Defendants' Reply Brief filed. Certificate of service in letter from Mr. Diamond.	
6-7-62	Plaintiff's Reply brief filed. Certificate of service attached.	
7-3-62	Transcript of proceedings on February 8, 1962, at Nashville, Tenn., filed by O.C.R. (Orig. copy filed.)	
7-3-62	Transcript of proceedings on February 16, 1962, at Nashville, Tenn., filed by O.C.R. (Orig. copy filed.)	
2-26-63	*Memorandum opinion of the Court entered. (Attested copies attys. of record.)	

