

IN THE MATTER OF
BROADWAY-HALE STORES, INC.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
SEC. 7 OF THE CLAYTON ACT

Docket C-1057. Complaint, April 14, 1966—Decision, April 14, 1966

Consent order requiring a California chain department store, the 16th largest in the Nation, to cease and desist from acquiring without permission of the Federal Trade Commission any department or GMFA (General Merchandise, Apparel, Furniture) store for a period of 5 years, unless the Commission, through an industrywide proceeding, issues rules or guidelines covering such acquisitions.

COMPLAINT

The Federal Trade Commission, having reason to believe that the above-named respondent has violated the provisions of Sec-

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Complaint

lish that respondent has obtained, or attempted to obtain, a monopoly in any market.

The Commission has reviewed the evidence and considered the arguments of the parties and has concluded that the hearing examiner's findings and conclusions of fact are correct and that dismissal of the complaint is proper. The Commission, however, does not consider the initial decision appropriate in all respects to dispose of this matter and has determined that it should be modified by striking therefrom certain conclusions of law.

It is ordered, That the appeal of counsel supporting the complaint be, and it hereby is, denied.

It is further ordered, That the initial decision be modified by striking therefrom conclusions of law beginning on page 594 with the words "The position taken by complaint counsel" and ending on page 600 with the words "section 5 of the Federal Trade Commission Act."

It is further ordered, That the initial decision, as modified by this order, be, and it hereby is, adopted as the decision of the Commission.

It is further ordered, That the complaint be, and it hereby is, dismissed.

Commissioner MacIntyre not concurring.
