



3. The aforesaid combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendants and co-conspirators, the substantial terms of which were to allocate customers in the linen supply market in New York City; Westchester County, New York; portions of northern New Jersey; and portions of Fairfield County, Connecticut (“New York metropolitan area”).

4. For the purpose of forming and effectuating the aforesaid combination and conspiracy, the defendants and co-conspirators did those things which they combined and conspired to do, including, among other things:

(a) agreeing not to compete for each others’ customers;

(b) meeting to discuss and affirm their agreement not to compete for each others’ customers;

(c) notifying each other when such customers were contemplating switching linen suppliers; and

(d) submitting intentionally high non-competitive price quotes or refraining from submitting price quotes to such customers.

## II. DEFENDANTS AND CO-CONSPIRATORS

5. During the period covered by this Information, Bruce Botchman was President of White Plains Coat & Apron Co., Inc.

6. White Plains Coat & Apron Co., Inc. is a New York corporation with its principal office in Peekskill, NY. From the mid 1990s until September 2002, White

Plains Coat & Apron Co., Inc. was engaged in the business of providing linen supply services in the New York metropolitan area.

7. Whenever in this Count reference is made to any act, deed, or transaction of any corporation, such allegation shall be deemed to mean that the corporation engaged in such act, deed, or transaction by or through its officers, directors, agents, employees, or representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

8. Various persons and companies, not made defendants herein, participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance thereof.

### III. INTERSTATE TRADE AND COMMERCE

9. Linen supply companies are primarily engaged in supplying to commercial establishments such laundered items as table linens, napkins, chef's uniforms, and aprons. Linen supply companies own the linen items, rent these items to customers, deliver clean items to the customer and pick up soiled items, usually on a weekly schedule. Major customers are restaurants, caterers, and cafeterias. During the period of this conspiracy, the defendants and co-conspirators generated sales revenues from the supply of linen services in the New York metropolitan area in excess of \$500 million.

10. The defendants' and co-conspirators' laundry operations are located in New York. During the period covered by this Information, defendants and co-conspirators

provided linen supply services to customers located in the New York City metropolitan area and Connecticut. In furnishing linen supply services to its customers, the defendants and co-conspirators transported a substantial portion of linen supplies across state lines.

11. The defendants and co-conspirators purchase substantial amounts of linen supplies to replace those that are worn out, lost or destroyed in the business operations. Most of the linen supplies are produced by manufacturers located in states other than New York.

12. During the period covered by this Information, the activities of the defendants and co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate trade and commerce.

#### IV. JURISDICTION AND VENUE

13. The aforesaid combination and conspiracy was carried out, in part, within the Southern District of New York within the five years preceding the filing of this Information.

IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

Dated:

/s/ \_\_\_\_\_  
R. HEWITT PATE  
Assistant Attorney General

/s/ \_\_\_\_\_  
RALPH T. GIORDANO  
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BY: /s/ \_\_\_\_\_  
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Acting United States Attorney  
Pursuant to 28 C.F. R. Sec. 0.131

\_\_\_\_\_  
JAMES B. COMEY  
United States Attorney  
Southern District of New York