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★ SEP 20 2007 ★

LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

ROGER JACOBI,

Defendant.

----- X

THE UNITED STATES CHARGES:

INTRODUCTION

At all times relevant to this Information:

1. The defendant Roger Jacobi was the president of Jacobi Industries, Inc. ("JI").
2. JI was an entity organized and existing under the laws of New York with its principal place of business in Medford, New York. JI was a provider of several items to the United States Department of Defense, including, "Mickey Mouse" hooks, horseshoe shackles, tow bar hooks, tank & pump units, Dee rings, and turn buckle hooks ("military tiedown equipment and cargo securing systems").
3. Military tiedown equipment and cargo securing systems are used to secure vehicles, aircraft, munitions, ISO containers and other specialized military cargo requirements for land, sea, and air transportation. Jacobi and his co-conspirators

were engaged in manufacturing and selling these items to the United States Department of Defense.

4. Various corporations and individuals, not made defendants in this Information, participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance thereof.

SHERMAN ACT CONSPIRACY

5. Beginning at least as early as November of 2001 and continuing until as late as January of 2005, the exact dates being unknown to the United States, the defendant and co-conspirators entered into and engaged in a combination and conspiracy to suppress and eliminate competition by agreeing to rig bids to the United States Department of Defense on contracts for military tiedown equipment and cargo securing systems. The combination and conspiracy engaged in by the defendant and co-conspirators was in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Sherman Act (Title 15, U.S.C., § 1).

6. The charged combination and conspiracy consisted of an agreement, understanding and concert of action among the defendant and co-conspirators, the substantial terms of which were to rig bids on contracts for military tiedown equipment and cargo securing systems sold to the United States Department of Defense for the purpose of raising the price paid by the

Department of Defense for these items. The combination and conspiracy was carried out, in part, within the Eastern District of New York within the five years preceding the filing of this Information.

7. For the purpose of forming and carrying out the charged combination and conspiracy, Jacobi and the co-conspirators did those things that they combined and conspired to do, including, among other things:

- (a) attended meetings and engaged in discussions regarding the sale of military tiedown equipment and cargo securing systems;
- (b) agreed during those meetings and discussions not to compete on certain contracts with the United States Department of Defense by not submitting prices or bids on those contracts;
- (c) submitted bids in accordance with the agreements reached;
- (d) sold military tiedown equipment and cargo securing systems to the United States Department of Defense pursuant to those agreements at collusive and non-competitive prices; and
- (e) accepted payment for military tiedown equipment and cargo securing systems sold at collusive and noncompetitive prices.

TRADE AND COMMERCE

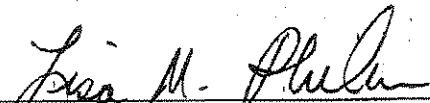
8. During the period covered by this Information, military tiedown equipment and cargo securing systems sold by one or more of the co-conspirator firms, and equipment and supplies necessary to the production and distribution of military tiedown equipment and cargo securing systems, as well as payments for military tiedown equipment and cargo securing systems traveled in interstate commerce.

9. During the period covered by this Information, the business activities of Jacobi and his co-conspirators in connection with the production and sale of military tiedown equipment and cargo securing systems that are the subject of this Information were within the flow of, and substantially affected, interstate trade and commerce.

(Title 15, United States Code, Section 1)



THOMAS O. BARNETT
Assistant Attorney General



LISA M. PHELAN
Chief
National Criminal Enforcement
Section



SCOTT D. HAMMOND
Deputy Assistant Attorney General



KATIE HELLINGS
LIZ ALOI
Attorneys, Antitrust Division
U.S. Department of Justice
Nat'l Crim. Enforcement Sect.
1401 H Street, NW, Suite 3700
Washington, D.C. 20530
Tel.: (202) 307-6694



MARC SIEGEL
Director of Criminal Enforcement
Antitrust Division
U.S. Department of Justice