

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★FILED★

2007 NOV 29 PM 3:39

- - - - - X

UNITED STATES OF AMERICA

CLERK
U.S. DISTRICT COURT
INFORMATIONAL DIVISION
E.D.N.Y.

- against -

Cr. No. 07-cr-723
T. 15, U.S.C. § 1

CERTIFIED SLINGS, INC.,

Defendant.

- - - - - X

CRIMINAL INFORMATION

THE UNITED STATES OF AMERICA, THROUGH ITS ATTORNEYS, CHARGES
THAT:

At all times relevant to this Information:

1. The defendant Certified Slings, Inc. ("CSI") was an entity organized and existing under the laws of Florida with its principal place of business in Casselberry, Florida.
2. CSI was a manufacturer and seller of metal sling hoist assemblies to the United States Navy.
3. A metal sling hoist assembly is a wire rope basket-type sling consisting of swaged legs on both free ends and two tensioning latches, which is used to hold items to be transported, such as bombs and other munitions. Metal sling hoist assemblies are used in some form by all branches of the military and, in particular, they are frequently used by the Navy on board aircraft carriers to transport missiles or bombs from

where those weapons are stored to the planes or helicopters that will carry them. CSI and its co-conspirators were engaged in manufacturing and selling metal sling hoist assemblies to the U.S. Navy.

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.

5. Whenever in this Information reference is made to any act, deed or transaction of any corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, agents, employees, or other representatives while they were actively engaged in the management, direction, control or transaction of its business or affairs.

SHERMAN ACT CONSPIRACY

6. Beginning in December of 2002 and continuing until October of 2003, 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 submit non-competitive bids to the United States Navy on contracts for metal sling hoist assemblies. 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).

7. 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 metal sling hoist assemblies sold to the United States Navy for the purpose of raising the price paid by the Department of Defense for the metal sling hoist assemblies. 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.

8. For the purpose of forming and carrying out the charged combination and conspiracy, CSI and its 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 metal sling hoist assemblies to the United States Navy;
- (b) agreed during those meetings and discussions not to compete on certain contracts with the United States Navy either by not submitting prices or bids on those contracts, by alternating winning bids on those contracts, or by submitting intentionally high prices or bids on those

contracts;

- (c) discussed and exchanged prices on certain contracts so as not to undercut one another's prices;
- (d) submitted bids in accordance with the agreements reached;
- (e) sold metal sling hoist assemblies to the United States Navy pursuant to those agreements at collusive and non-competitive prices; and
- (f) accepted payment for metal sling hoist assemblies sold at collusive and noncompetitive prices.

TRADE AND COMMERCE

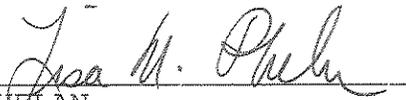
9. During the period covered by this Information, metal hoist sling assemblies sold by one or more of the co-conspirator firms, and equipment and supplies necessary to the production and distribution of metal sling hoist assemblies, as well as payments for metal sling hoist assemblies and necessary supplies, traveled in interstate commerce.

10. During the period covered by this Information, the business activities of CSI and its co-conspirators in connection with the production and sale of metal sling hoist assemblies 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 PHELAN
Chief
National Criminal Enforcement
Section



SCOTT D. HAMMOND
Deputy Assistant Attorney General



MARK ROSMAN
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