

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
) Criminal No.: 3:CR-95-228
 v.)
) Filed: [9/13/95]
 THOMAS W. MURRAY)
) 15 U.S.C. § 1
 Defendant.)
) **Judge Vanaskie**

INFORMATION

The United States of America, acting through its attorneys,
charges:

I

DESCRIPTION OF THE OFFENSE

1. Thomas W. Murray is hereby made a defendant on the
charge stated below.

2. Beginning at least as early as 1992 and continuing
until at least December 1994, the exact dates being unknown to
the United States, defendant Thomas W. Murray and others entered
into and participated in a combination and conspiracy to suppress
and eliminate competition by rigging bids for the purchase of
military surplus sold in interstate commerce by the Defense
Reutilization and Marketing Office ("DRMO") at auctions located
in Mechanicsburg, Pennsylvania and Chambersburg, Pennsylvania.
The combination and conspiracy engaged in by the defendant and
co-conspirators in unreasonable restraint of interstate and
foreign trade and commerce violated Section 1 of the Sherman Act
(15 U.S.C. § 1).

3. The charged combination and conspiracy consisted of an agreement, understanding and concert of action among the defendant and co-conspirators, the substantial term of which was to submit collusive, noncompetitive and rigged bids for the purchase of military surplus sold by the DRMO at auctions in Mechanicsburg, Pennsylvania and Chambersburg, Pennsylvania.

4. For the purpose of forming and effectuating the charged conspiracy, the defendant and co-conspirators did those things which they combined and conspired to do.

II

DEFENDANT AND CO-CONSPIRATORS

5. Thomas W. Murray does business as a sole proprietor with his principal place of business in Dover, Delaware. During the period covered by this information, Thomas W. Murray was in the business of buying military surplus primarily for resale.

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

III

INTERSTATE AND FOREIGN TRADE AND COMMERCE

7. During the period covered by this information, a substantial quantity of military surplus sold at DRMO auctions in Mechanicsburg, Pennsylvania and Chambersburg, Pennsylvania was transported across state lines to auction sites.

8. During the period covered by this information, potential purchasers, including the defendant and

co-conspirators, frequently traveled across state lines to attend and bid at DRMO auctions in Mechanicsburg, Pennsylvania and Chambersburg, Pennsylvania at which the DRMO sold military surplus.

9. During the period covered by this information, a substantial quantity of military surplus sold by the DRMO at auctions in Mechanicsburg, Pennsylvania and Chambersburg, Pennsylvania was transported across state lines by or on behalf of the purchasers thereof, including the defendant and co-conspirators.

10. During the period covered by this information, a substantial quantity of military surplus purchased by the defendant and co-conspirators at DRMO auctions in Mechanicsburg, Pennsylvania and Chambersburg, Pennsylvania was resold and shipped to customers across state lines or outside the United States.

11. During the period covered by this information, the activities of the defendant and co-conspirators with respect to the purchase of military surplus sold by the DRMO at auctions in Mechanicsburg, Pennsylvania and Chambersburg, Pennsylvania were within the flow of, and substantially affected, interstate and foreign trade and commerce.

IV

JURISDICTION AND VENUE

12. The combination and conspiracy charged in this information was formed and carried out, in part, within the

Middle District of Pennsylvania, within the five years preceding the filing of this information.

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

_____/s/_____
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Acting Assistant Attorney General

_____/s/_____
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