IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

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| UNITED STATES OF AMERICA ) | **Filed: [4/18/96]** |
| ) | |
| v. ) | |
| ) | **Criminal No.: 96-8043CRRYSKAMP** |
| WRISCO INDUSTRIES, INC. and ) | |
| AGOSTINO JAMES MONASTRA, ) | **Judge: Ryskamp** |
| ) | |
| Defendants. ) | **Violation: 15 U.S.C. § 1** |
| _____) | |

**INFORMATION**

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

**I.**

**DESCRIPTION OF THE OFFENSE**

1. Wrisco Industries, Inc., and Agostino J. Monastra are made defendants on the charge stated below.

2. Beginning in January 1995 and continuing until July 1995, the exact dates being unknown to the United States, the defendants and others entered into and engaged in a combination and conspiracy in unreasonable restraint of interstate trade and commerce, in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1.

3. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendants and their co-conspirators, the substantial terms of which were to fix, raise, and maintain the prices of certain painted aluminum

products that the defendants and their co-conspirators sold in several regions of the United States.

4. The conspiracy affected certain painted aluminum products that the defendants sold from, or through, their offices in: Atlanta, Georgia; Chicago, Illinois; Dallas, Texas; and Edison, New Jersey.

5. For the purpose of forming and carrying out the charged combination and conspiracy, the defendants and their co-conspirators did those things that they combined and conspired to do, including:

(a) Meeting in January 1995 and agreeing to work together to fix and raise the prices they charged for painted aluminum sheets and sign blanks sold wherever the defendants and co-conspirators compete;

(b) Coordinating and negotiating among themselves price increases for painted aluminum sheets and sign blanks sold wherever the defendants and co-conspirators compete, which the defendants put into effect in March 1995; and

(c) Telephoning or otherwise contacting one another to enforce compliance with their agreed-upon prices and price increases.

## II.

## DEFENDANTS AND CO-CONSPIRATORS

6. Wrisco Industries, Inc., is a corporation organized under the laws of the State of Delaware, with its principal place of business in West Palm Beach, Florida. During the period covered by this Information, Wrisco Industries, Inc., engaged in the sale and distribution of painted aluminum products throughout the United States.

7. During the period covered by this Information, Agostino James Monastra engaged in the sale and distribution of painted aluminum products throughout the United States, individually and as the owner and president of Wrisco Industries, Inc.

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

9. Whenever reference is made in this Information 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, employees, agents, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

## III.

## TRADE AND COMMERCE

10. The painted aluminum products affected by the conspiracy included sign blanks and sheets. The most common examples of these painted aluminum products are the canopies and signs in brand-related colors installed at gasoline stations and similar businesses.

11. During the period covered by this Information, the defendants and their co-conspirators purchased substantial quantities of painted aluminum products that were produced in several states including, among other states, Alabama, Kentucky, and Ohio. The defendants and their co-conspirators then caused these painted aluminum products to be transported across state lines, to warehouses and storage facilities that were located in, among other states, Georgia, Illinois, New Jersey, and Texas. The defendants and their co-conspirators then sold this painted aluminum to customers throughout the United States, and caused it to be transported across state lines to their customers.

12. The business activities of the defendants and their co-conspirators which are the subject of this Information were within the flow of, and substantially affected, interstate trade and commerce.

## IV.

## JURISDICTION AND VENUE

13. The conspiracy charged in this Information was formed and carried out, in part, within the Southern District of Florida within the five years preceding the filing of this Information.

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

Dated:


_____"/s/"_____
ANNE K. BINGAMAN
Assistant Attorney General
Antitrust Division

_____"/s/"_____
JOHN T. ORR

_____"/s/"_____
GARY R. SPRATLING
Deputy Assistant Attorney General
Antitrust Division

_____"/s/"_____
JUSTIN M. NICHOLSON

_____"/s/"_____
KENDALL COFFEY
United States Attorney
Southern District of Florida

_____"/s/"_____
WILLIAM G. TRAYNOR

Attorneys
Antitrust Division
U.S. Department of Justice
75 Spring Street, SW., Suite 1176
Atlanta, GA 30303
404/331-7100