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11	UNITED STATES DISTRICT COURT
12	DISTRICT OF OREGON
13 14	UNITED STATES OF AMERICA) No. CR-00-187-BR
14	v.) VIOLATION:
15	BEST TREE SERVICE, INC.,) CONSPIRACY TO DEFRAUD
17	Defendant.) FILED: APRIL 10, 2000
18)
19	INFORMATION
20	The United States of America, acting through its attorneys,
21	charges:
22	I. DESCRIPTION OF
23	DESCRIPTION OF <u>DEFENDANT AND CO-CONSPIRATORS</u>
24	1. BEST TREE SERVICE, INC. (BEST) is made a defendant on the charge
25	stated below.
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2. BEST is a corporation organized and existing under the laws of the state of 1 2 Washington with its principal place of business in Ephrata, Washington. During the 3 period covered by this Information, BEST bid on brush clearing services solicitations 4 offered by the Bonneville Power Administration (BPA), an agency of the United States Department of Energy, for brush clearing work in and around BPA transmission line right-of-ways located in the District of Oregon and elsewhere.

3. 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 of it.

10 4. 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, employees, agents, or other representatives while they were actively engaged in the management, direction, 14 control, or transaction of its business or affairs.

II.

DESCRIPTION OF THE OFFENSE

5. Beginning at least as early as March 1996 and continuing at least until September 1998, the exact dates being unknown to the United States, in the District of Oregon and elsewhere, BEST and one or more co-conspirators, did unlawfully, 20 knowingly and willfully combine, conspire, confederate and agree together and with 21 22 each other to defraud the United States by impeding, impairing, obstructing and 23 defeating the lawful bidding system used by the BPA, in violation of 18 U.S.C. § 371. 24 They did so by devising a scheme to deceive the BPA into believing that BEST and a 25 competing co-conspirator were independent of one another and were independently 26 determining and submitting bids to the BPA for brush clearing projects. In fact, BEST

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1	and the co-conspirator were affiliated and were allocating and submitting non-	
2	competitive bids to the BPA for brush clearing projects.	
3	III.	
4	OVERT ACTS IN FURTHERANCE OF CONSPIRACY	
5	6. In furtherance of the conspiracy described in this Information, and in order	
6	to effect the objects thereof, BEST and co-conspirators committed overt acts in the	
7	District of Oregon and elsewhere, including but not limited to the following:	
8	(a) not revealing to the BPA that between March 1996 and August	
9	1997 Best had a contractual relationship with a co-conspirator	
10	company that limited competition between BEST and that co-	
11 12	conspirator in acquiring brush clearing work from the BPA;	
12	(b) not revealing to the BPA that in August 1997 the owners of the co-	
13	conspirator company obtained decision-making control of BEST; and	
15	(c) meeting and agreeing with representatives of the co-conspirator	
16	company to allocate and suppress competition on bids for BPA brush	
17	clearing projects in eastern Washington and Oregon.	
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1	ALL IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 371
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3	"/s/"
4	"/s/""/s/"Joel I. KleinChristopher S CrookAssistant Attorney GeneralChief, San Francisco Field Office
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17	Kristine Olson
18	United States Attorney
19	District of Oregon
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