

Oct 2, 2019

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
19-20646-CR-GRAHAM/MCALILEY

Case No.

15 U.S.C. § 1

UNITED STATES OF AMERICA

vs.

FRANCIS ALVAREZ,

Defendant.

INFORMATION

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

1. From at least September 2010 to at least August 2014 (“the relevant period”), **FRANCIS ALVAREZ** was the owner and president of Company A, a company organized and existing under the laws of the United States with its principal place of business in Houston, Texas. During the relevant period, Company A provided freight forwarding services in the United States and elsewhere to customers seeking to ship cargo from the United States to Honduras and elsewhere.
2. Freight forwarders arrange for and manage the shipment of goods from one location to another by receiving, packaging, and otherwise preparing cargo destined for ocean shipment to and from the United States; by arranging transportation in conjunction with an ocean freight shipment to and from the United States; and by preparing documents to accompany an ocean freight shipment to and from the United States. To provide these services, freight forwarders generally enter into contracts or other arrangements with ocean transportation providers to transport the goods, and the forwarders themselves provide domestic transportation,

packaging, handling, and other services associated with the transportation of goods, both domestically and elsewhere.

3. Other corporations and individuals, not made defendants in this Information, participated as co-conspirators in the offense charged in this Information and performed acts and made statements in furtherance of it.

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, control, or transaction of its business or affairs.

SHERMAN ACT CONSPIRACY (15 U.S.C. § 1)

5. During the relevant period, the exact dates being unknown to the United States, in the Southern District of Florida and elsewhere, the defendant,

FRANCIS ALVAREZ,

and her co-conspirators knowingly joined and participated in a conspiracy to suppress and eliminate competition by fixing prices for freight forwarding services provided in the United States and elsewhere.

6. The combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among **ALVAREZ** and her co-conspirators, the substantial terms of which were to increase, fix, stabilize, and maintain prices charged to customers for freight forwarding services provided in the United States and elsewhere.

7. The freight forwarding services provided by **ALVAREZ**, and the cargo transported by **ALVAREZ** and her co-conspirators in interstate commerce to numerous ports in the United States, were affected by the conspiracy described herein.

MEANS AND METHODS

8. For purposes of forming and carrying out the combination and conspiracy, **ALVAREZ** and/or her co-conspirators did those things that they combined and conspired to do, in the United States and elsewhere, including, among other things:

- a. participated in meetings, conversations, and communications with each other in various locations, including in the United States, to discuss prices to be charged for freight forwarding services;
- b. agreed during various meetings, conversations, and communications to increase, fix, stabilize, and maintain prices for freight forwarding services;
- c. discussed and exchanged pricing information for freight forwarding services for the purpose of carrying out the agreement;
- d. raised and maintained prices for freight forwarding services in accordance with the agreement reached;
- e. received payments for freight forwarding services sold at collusive, non-competitive prices; and
- f. provided freight forwarding services at collusive and non-competitive prices.

TRADE AND COMMERCE

9. During the time period covered by this Information, the business activities of **ALVAREZ** and her co-conspirators that are the subject of this Information were within the continuous and uninterrupted flow of, and substantially affected, interstate trade and commerce. For example, **ALVAREZ** and her co-conspirators solicited and sold freight forwarding services to customers located in various states in the United States. Cargo transported by **ALVAREZ**

and her co-conspirators, as well as payments received for freight forwarding services by **ALVAREZ** and her co-conspirators, traveled in interstate trade and commerce. The combination and conspiracy involved trade or commerce among the states in freight forwarding services.

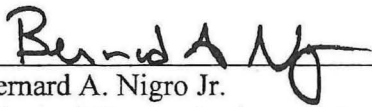
All in violation of Title 15, United States Code, Section 1.



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