

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA)	Criminal No. 398-CR-337-R
)	
v.)	Filed: 09/30/98
)	
A-1 AUTO GLASS, INC.,)	Violation:
)	15 U.S.C. § 1
Defendant.)	

INFORMATION

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

I.

DESCRIPTION OF THE OFFENSE

1. A-1 Auto Glass, Inc. is hereby made a defendant on the charge stated below.
2. Beginning at least as early as February 1998 and continuing thereafter until at least April 1998, the exact dates being unknown to the United States, the defendant and others entered into and engaged in a combination and conspiracy to suppress and eliminate competition by increasing installation labor rates and lowering discounts on automotive replacement glass sold by defendant and coconspirators from places of business located in the Dallas/Fort Worth, Texas area, 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 defendant and coconspirators, the substantial

term of which was to raise prices by increasing installation labor rates and lowering discounts on automotive replacement glass sold by retail glass stores in the Dallas/Fort Worth, Texas area.

4. For the purpose of forming and carrying out the charged combination and conspiracy, the defendant and coconspirators did those things that they combined and conspired to do, including, among other things:

- (a) discussing installation labor rates and discounts on automotive replacement glass;
- (b) agreeing to increase installation labor rates and lower discounts on automotive replacement glass; and
- (c) increasing installation labor rates and lowering discounts on automotive replacement glass.

II.

DEFENDANT AND COCONSPIRATORS

5. A-1 Auto Glass, Inc. is a corporation organized and existing under the laws of the State of Texas, with its principal place of business in Fort Worth, Texas. During the period covered by this Information, A-1 Auto Glass, Inc. was engaged in the business of selling and installing automotive replacement glass in the Dallas/Fort Worth, Texas area.

6. Various corporations and individuals, not made defendants in this Information, participated as coconspirators in the offense charged and performed acts and made statements in furtherance thereof.

7. Whenever in this Information reference is made to any act, deed, or transaction of a corporation, the allegation means that the corporation engaged in the act, deed, or transaction by

or through its officers, directors, agents, employees, or representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

III.

TRADE AND COMMERCE

8. During the period covered by this Information, the defendant and coconspirators purchased substantial quantities of automotive replacement glass produced in states other than Texas which were transported to Texas in a continuous and uninterrupted flow of interstate commerce. Defendants and coconspirators resold this automotive replacement glass to retail customers.

9. The business activities of the defendant and coconspirators that are the subject of this Information were within the flow of, and substantially affected, interstate trade and commerce.

IV.

JURISDICTION AND VENUE

10. The combination and conspiracy charged in this Information was formed and carried out, in part, within the Northern District of Texas within the five years preceding the filing of this Information.

ALL IN VIOLATION OF TITLE 15 U.S.C. § 1.

DATED this _____ day of _____, 1998.

_____/s/_____
JOEL I. KLEIN
Assistant Attorney General

_____/s/_____
ALAN A. PASON
Chief, Dallas Field Office

_____/s/_____
GARY R. SPRATLING
Deputy Assistant Attorney General

_____/s/_____
JOHN T. ORR
Director of Criminal Enforcement

Antitrust Division
U.S. Department of Justice

_____/s/_____
PAUL E. COGGINS
United States Attorney
Northern District of Texas

_____/s/_____
MARY COLEEN T. SEWELL

_____/s/_____
SCHONETTE JONES

Attorneys, Antitrust Division
U.S. Department of Justice
Dallas Field Office
Thanksgiving Tower
1601 Elm Street, Suite 4950
Dallas, TX 75201-4717
Tel: (214) 880-9401