

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

UNITED STATES OF AMERICA)	Criminal No.: CR98-60016-001
)	
)	Filed: 5/4/98
)	
CAJUN CHEMICAL, INC.,)	Violation:
)	15 U.S.C. § 1
Defendant.)	
		Judge Doherty

INFORMATION

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

I.

DESCRIPTION OF THE OFFENSE

1. Cajun Chemical, Inc. is hereby made a defendant on the charge stated below.
2. Beginning at least as early as 1990 and continuing thereafter until at least mid-1996, the exact dates being unknown to the United States, the defendant and others entered into a combination and conspiracy to suppress and eliminate competition by rigging bids and quotes for the award and performance of contracts to supply janitorial chemicals to the University of Southwestern Louisiana (USL) in unreasonable restraint of interstate trade and commerce, in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

3. During the period covered by this Information, USL, at various times, invited janitorial chemical companies, including the defendant and its corporate co-conspirators, to submit competitive bids or quotes for the award and performance of contracts to supply janitorial chemicals. The successful bidders were awarded contracts to furnish janitorial chemicals to USL for a specified quantity. As a result of the charged combination and conspiracy, the defendant was awarded contracts and furnished janitorial chemicals to USL.

4. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendant and co-conspirators, the substantial terms of which were:

- (a) to allocate all or part of certain contracts to supply janitorial chemicals to USL;
- (b) to refrain from submitting bids or quotes, or to submit collusive, noncompetitive, and rigged bids or quotes to USL for contracts to supply janitorial chemicals; and
- (c) to supply janitorial chemicals to USL at noncompetitive prices and receive compensation therefor.

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

- (a) discussing among themselves the submission of prospective bids or quotes on contracts to supply janitorial chemicals to USL;

- (b) designating which corporate co-conspirator would be the low responsive bidder for the contracts to supply janitorial chemicals to USL;
- (c) discussing and agreeing upon prices to be contained within the bids or quotes for contracts to supply janitorial chemicals to USL;
- (d) refraining from bidding or submitting intentionally high, complementary bids or quotes for the contracts to supply janitorial chemicals to USL;
- (e) supplying janitorial chemicals to USL at noncompetitive prices and receiving compensation therefor; and
- (f) discussing and agreeing among themselves on the future allocation of other janitorial chemical supply contracts at other colleges and universities located throughout the State of Louisiana.

II.

DEFENDANT AND CO-CONSPIRATORS

6. Cajun Chemical, Inc. is a corporation organized and existing under the laws of the State of Louisiana with its principal place of business in Opelousas, Louisiana. Cajun Chemical, Inc. also maintains a branch office in Lafayette, Louisiana. During the period covered by this Information, Cajun Chemical, Inc. was engaged in the business of selling janitorial chemicals and cleaning supplies in various locations in Louisiana, including the Western District of Louisiana.

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

8. 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

9. During the period covered by this Information, substantial quantities of janitorial chemicals were shipped from points of origin outside the State of Louisiana to the corporate co-conspirators located in the State of Louisiana, and delivered by the corporate co-conspirators to USL in connection with the conspiracy charged in this Information.

10. The business activities of the defendant and co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate trade and commerce.

IV.

JURISDICTION AND VENUE

11. The combination and conspiracy charged in this Information was carried out, in part, within the Western District of Louisiana within the five years preceding the filing of this Information.

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

DATED this _____ day of _____, 1998.

_____/s/_____
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Assistant Attorney General

_____/s/_____
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_____/s/_____
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