

1 FREDERICK A. BLACK  
United States Attorney  
2 JOSEPH F. WILSON  
Assistant U.S. Attorney  
3 RICHARD B. COHEN  
MATTHEW D. SEGAL  
4 Trial Attorneys  
Suite 500, Sirena Plaza  
5 108 Hernan Cortez Ave.  
Hagåtña, Guam 96910  
6 TEL: (671) 472-7332  
FAX: (671) 472-7334  
7

Filed January 31, 2001

8 Attorneys for the United States  
9

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE TERRITORY OF GUAM

12 UNITED STATES OF AMERICA ) CRIMINAL CASE NO. CR-01-00008  
13 )  
14 v. ) **INDICTMENT**  
15 **IL YOUNG CHO,** ) **CONSPIRACY TO RESTRAIN TRADE**  
16 ) [15 U.S.C. § 3]  
17 )  
18 )

19 THE GRAND JURY CHARGES:

20 DESCRIPTION OF THE OFFENSE

- 21 1. **IL YOUNG CHO** is hereby indicted and made a defendant herein.  
22 2. Beginning as early as December 17, 1997 and continuing at least until  
23 May 26, 1998, the exact dates being unknown to the Grand Jury, the defendant and  
24 co-conspirators entered into and engaged in a combination and conspiracy to suppress  
25 and restrain competition for a Government of Guam Department of Parks and  
26 Recreation (“DPR”) project to repair structures at Wettengel Football Field damaged by

1 Typhoon Paka (“the Wettengel Football Field Project”), in unreasonable restraint of  
2 territorial trade and commerce in violation of the Sherman Act, Title 15, United States  
3 Code, Section 3.

4 DEFENDANT AND CO-CONSPIRATORS

5 3. During the period covered by this Indictment, **IL YOUNG CHO** was a  
6 citizen of the Republic of Korea, a resident of the Territory of Guam, and in control of  
7 Cho Iron Works, a construction business located in Agaña, Guam.

8 4. Various individuals and corporations, not made defendants in this  
9 Indictment participated as co-conspirators in the offense charged and performed acts  
10 and made statements in furtherance of it.

11 THE CONSPIRACY

12 5. The charged combination and conspiracy consisted of an agreement,  
13 understanding, and concert of action among the conspirators, the substantial term of  
14 which was to rig price quotations to be offered for the Wettengel Football Field Project.

15 6. For the common purpose of forming and carrying out the charged  
16 combination and conspiracy, the defendant and co-conspirators performed the  
17 following acts, among others:

- 18 a. discussed allocating the Wettengel Football Field Project to the  
19 Defendant;
- 20 b. discussed price quotations on the upcoming Wettengel Football Field  
21 Project;
- 22 c. agreed on the price quotations they would submit for the Wettengel  
23 Football Field Project;
- 24 d. provided blank copies of corporate stationery to a co-conspirator with  
25 the understanding that the co-conspirator would use that stationery for  
26 the purpose of preparing collusive, non-competitive price quotations for



1 JURISDICTION AND VENUE

2 8. The combination and conspiracy charged in this Indictment was formed  
3 and carried out, in part, within the District of Guam, within five years preceding the  
4 return of this Indictment.

5 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 3.

6  
7 A TRUE BILL

8  
9 "/s/"  
10 FOREPERSON

11 "/s/"  
12 John M. Nannes  
13 Acting Assistant Attorney General

11 "/s/"  
12 Christopher S Crook  
13 Chief, San Francisco Field Office

14 "/s/"  
15 James M. Griffin  
16 Deputy Assistant Attorney General

14 "/s/"  
15 Richard B. Cohen  
16 Trial Attorney

17 "/s/"  
18 Scott D. Hammond  
19 Director of Criminal Enforcement  
20 Antitrust Division  
21 United States Department of Justice

17 "/s/"  
18 Matthew D. Segal  
19 Trial Attorney  
20 Antitrust Division  
21 United States Department of Justice  
22 450 Golden Gate Avenue  
23 Box 36046, Room 10-0101  
24 San Francisco, California 94102  
25 (415)436-6660

23 "/s/"  
24 Frederick A. Black  
25 United States Attorney - District of Guam  
26