

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

<b>UNITED STATES OF AMERICA</b>	)	<b>Criminal No.: 5:98CR0090</b>
	)	
	)	<b>Filed: August 27, 1998</b>
	)	
<b>CRAFTON'S GLASS, INC.,</b>	)	<b>Violation:</b>
	)	<b>15 U.S.C. § 1</b>
<b>Defendant.</b>	)	

**INFORMATION**

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

**I.**

**DESCRIPTION OF THE OFFENSE**

1. Crafton's Glass, Inc. is hereby made a defendant on the charge stated below.
2. Beginning at least as early as March 1998 and continuing thereafter until at least May 1998, 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 increasing installation labor rates and lowering discounts on automotive replacement glass sold by defendant and coconspirators from places of business located in Lubbock, Texas, 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, a 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 Lubbock, Texas.

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. Crafton's Glass, Inc. is a corporation organized and existing under the laws of the State of Texas, with its principal place of business in Lubbock, Texas. During the period covered by this Information, Crafton's Glass, Inc. was engaged in the business of selling/installing automotive replacement glass in Lubbock, Texas.

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