UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	Criminal No.: 99CR697
v.	:	Filed: July 8, 1999
PETER LANIGAN,	:	Violation: 15 U.S.C. § 1
Defendant.	:	

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INFORMATION

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

1. Peter Lanigan is hereby made a defendant on the charge stated below. below.

I. DEFENDANT AND CO-CONSPIRATORS

2. Lanigan is a resident of Wisconsin. During the period covered by this Information, Lanigan owned and controlled Impact Communications, Inc. ("Impact"). Lanigan also managed Display Promotions, Inc. ("DPI"), which was owned by his spouse. Both corporations were located in Wisconsin. Impact and DPI were brokers of advertising and display materials, primarily printed case cards, table tents, shelf talkers, and brochures.

3. During the period covered by this Information, W.A. Taylor, Inc. was an importer and distributor of alcoholic beverages located in Florida, and its parent company, Hiram Walker & Sons, Inc., was a manufacturer, importer, and distributor of alcoholic beverages located in Michigan.

4. During the period covered by this Information, Impact and DPI made substantial sales of printed display materials to W.A. Taylor and Hiram Walker.

5. Whenever in this Information reference is made to any act, deed, or transaction of any corporation, such allegation shall be deemed to mean that the corporation engaged in such act, deed, or transaction by or through its officers, directors, agents, employees, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

6. Various persons and firms, not made defendants herein, participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance thereof.

II. DEFINITION

7. "Advertising and display materials" refers to the manufacture, assembly, or packaging of any point-of-purchase advertising and display materials, including, but not limited to, display stands, posters, banners, counter cards or sell sheets, used for the advertising or promotion of consumer goods, primarily in retail stores.

III. DESCRIPTION OF THE OFFENSE

8. Beginning at least as early as May 1991 and continuing until at least February 1994, the exact dates being unknown to the United States, the defendant and co-conspirators engaged in a combination and conspiracy in unreasonable restraint of trade and commerce in violation of Section 1 of the Sherman Act
(15 U.S.C. § 1).

9. The aforesaid combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendant and co-conspirators, the substantial term of which was to allocate contracts for the supply of advertising and display materials awarded by W.A. Taylor and Hiram Walker. One of the co-conspirators was Irwin Englander, a purchasing agent employed first at W.A. Taylor and later transferred to Hiram Walker.

10. For the purpose of forming and effectuating the aforesaid combination and conspiracy, the defendant and co-conspirators did those things which they combined and conspired to do, including, among other things:

(a) designated which supplier of printed advertising and display materials would be awarded particular contracts by W.A. Taylor and Hiram Walker;

(b) made payments in the form of checks to an entity controlled by co-conspirator Englander, for his assistance in allocating W.A. Taylor's and

Hiram Walker's contracts for advertising and display materials among the defendant and other co-conspirators who were also suppliers of advertising and display materials; and

(c) created false and misleading purchase orders and invoices for the purpose of disguising the true source and purpose of the payments to co-conspirator Englander.

TRADE AND COMMERCE

11. Advertising and display materials are used by many manufacturers, among them cigarette, consumer health goods, food, liquor, and cosmetic companies, as a means of promoting their products.

12. During the period covered by this Information, W.A. Taylor and Hiram Walker purchased substantial quantities of advertising and display materials from suppliers located throughout the United States.

13. During the period covered by this Information, and as a result of the conspiracy charged herein, the defendant obtained contracts for advertising and display materials from W.A. Taylor and from Hiram Walker worth approximately $2.0 million.

14. During the period covered by this Information, the activities of the defendant and co-conspirators with respect to the sale of advertising and display materials to W.A. Taylor and Hiram Walker pursuant to the charged conspiracy were within the flow of, and substantially affected, interstate trade and

commerce.

JURISDICTION AND VENUE

15. The aforesaid combination and conspiracy was carried out, in part, within the Southern District of New York.

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

"/s/"
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Assistant Attorney General

"/s/"
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"/s/"
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