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10 Attorneys for the United States  
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12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE TERRITORY OF GUAM  
14

15 UNITED STATES OF AMERICA	)	No. CR
	)	
16 v.	)	VIOLATION:
	)	15 U.S.C. § 3
17 KENNETH KOO LEE,	)	CONSPIRACY TO RESTRAIN TRADE
	)	
18 Defendant.	)	
19 _____	)	

20 INFORMATION

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

23 I.

24 DESCRIPTION OF  
25 DEFENDANT AND CO-CONSPIRATORS

26 1. KENNETH KOO LEE is made a defendant on the charge stated below.

2. LEE is a resident of the District of Guam. During the period covered by this Information, LEE gave price quotations in response to construction services solicitations offered by the Department of Parks and Recreation (“DPR”), an agency of the Government of Guam, for construction work to repair damage Typhoon Paka caused to the Ypao Beach cabanas and pavilion and to a Paseo Stadium light tower. (These repair projects are hereinafter referred to as “the Ypao Beach Project” and “the Paseo Light Tower Project.”)

3. Various corporations and individuals not made defendants in this Information participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance of it.

## II.

### DESCRIPTION OF THE OFFENSE

4. Beginning at least as early as December 17, 1997 and continuing at least until May 26, 1998, the exact dates being unknown to the United States, in the District of Guam and elsewhere, LEE and one or more co-conspirators, did participate in a combination and conspiracy in unreasonable restraint of territorial trade and commerce in violation of Section 3 of the Sherman Act, 15 U.S.C. §3. 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 to rig price quotations and allocate contracts offered by DPR for construction work to repair damage caused by Typhoon Paka.

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:

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- 1 (a) participating in conversations to discuss price quotations for upcoming  
2 projects to repair DPR facilities damaged by Typhoon Paka;  
3 (b) submitting artificially high, non-competitive price quotations for the  
4 Paseo Light Tower Project;  
5 (c) submitting artificially high, non-competitive price quotations for the Ypao  
6 Beach Project;  
7 (d) performing work for the Paseo Light Tower Project and the Ypao Beach  
8 Project;  
9 (e) submitting invoices to the DPR for work done on the Paseo Light Tower  
10 Project and the Ypao Beach Project; and  
11 (f) receiving funds from the Government of Guam for work done on the  
12 Paseo Light Tower Project and the Ypao Beach Project.

13 COMMERCE

14 6. During the period covered by this Information, the activity that was the  
15 object of the conspiracy was within the flow of, and substantially affected, commerce  
16 in the Territory of Guam, between the Territory of Guam and the State of California,  
17 and between the Territory of Guam and the Country of Australia.

18 JURISDICTION AND VENUE

19 7. The combination and conspiracy charged in this Information was formed  
20 and carried out, in part, within the District of Guam, within five years preceding the  
21 filing of this Information.  
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1 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 3

2  
3 Dated:

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5 \_\_\_\_\_/s"/\_\_\_\_\_  
6 Joel I. Klein  
7 Assistant Attorney General

\_\_\_\_\_s"/\_\_\_\_\_  
Christopher S Crook  
Chief, San Francisco Field Office

8 \_\_\_\_\_s"/\_\_\_\_\_  
9 James M. Griffin  
10 Deputy Assistant Attorney General

\_\_\_\_\_s"/\_\_\_\_\_  
Richard B. Cohen  
Trial Attorney

11 \_\_\_\_\_s"/\_\_\_\_\_  
12 Scott D. Hammond  
13 Director of Criminal Enforcement  
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