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FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

E-filing
JW

UNITED STATES OF AMERICA)	CR 12 0326
)	Criminal No.
v.)	
)	INFORMATION
WILLIAM W. LORD)	
)	Violation: 15 U.S.C. § 1 (Conspiracy to
)	Allocate Customers)
Defendant.)	
)	

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

WILLIAM W. LORD,

the defendant herein, as follows:

BACKGROUND

1. Mesquite charcoal, which is typically used by restaurants and individuals to grill meat, fish, and poultry, is primarily produced in Mexico and then sold to companies in the United States like Chef's Choice Mesquite Charcoal for resale to distributors and end users.

2. During the entire time period covered by this Information, Defendant LORD was the sole owner/operator of Chef's Choice Mesquite Charcoal, a business which operated from

Carpinteria, California and which was engaged in the sale and distribution of mesquite charcoal in the United States.

THE COMBINATION AND CONSPIRACY

3. Beginning as early as January 2000 and continuing until in or about September 2010, Defendant LORD and co-conspirators entered into and engaged in a combination and conspiracy to suppress and restrain competition by agreeing not to compete for competitors' customers, including sales of mesquite charcoal in the Northern District of California, and by submitting non-competitive bids for the sale of mesquite charcoal in the United States, in unreasonable restraint of interstate trade and commerce, in violation of the Sherman Antitrust Act, 15 U.S.C. § 1.

4. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among Defendant LORD and co-conspirators to suppress competition by: (a) agreeing not to submit bids to each others' customers; (b) agreeing to submit intentionally non-competitive bids to each others' customers; and (c) communicating with each other regarding what price to bid and then submitting the agreed-upon bid to each others' customers.

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

(a) agreeing, during conversations and communications, not to compete for sales of mesquite charcoal to co-conspirators' customers;

(b) refraining from submitting bids to co-conspirators' customers; and

(c) communicating regarding bid prices and then submitting agreed-upon and intentionally non-competitive bids to co-conspirators' customers.

6. Various entities 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 them.

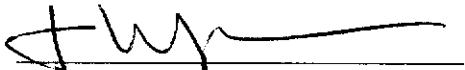
TRADE AND COMMERCE

7. During the period covered by this Information, the business activities of Defendant Lord and co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate and foreign commerce. For example, mesquite charcoal that was the subject of this conspiracy was purchased by Defendant LORD and co-conspirators from suppliers in Mexico and re-sold and distributed to customers throughout the United States, with payments also traveling in interstate and foreign commerce.

JURISDICTION AND VENUE

8. The combination and conspiracy charged in this Information was carried out, in part, in the Northern District of California, within the five years preceding the filing of this Information.

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



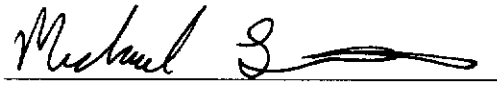
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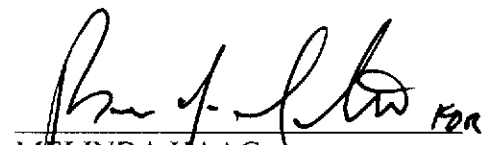
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