

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

UNITED STATES OF AMERICA :
 :
 v. : **CASE NO.: 1:96CR-7401**
 :
 MICHIGAN BIRCH DOOR :
 MANUFACTURERS, INC., : **Filed: [8/29/96]**
 :
 Defendant. : **Judge: Murtha**

INFORMATION

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

A. DESCRIPTION OF THE OFFENSE

1. Michigan Birch Door Manufacturers, Inc. ("MBD") is
hereby made a defendant on the charge stated below.

2. Beginning in January 1993 and continuing thereafter no
later than December 1993, the exact dates being unknown to the
United States, the defendant and others engaged in a combination
and conspiracy to fix, raise and maintain the prices of
residential flush doors sold to certain customers in northeastern
and mid-Atlantic states. The combination and conspiracy, engaged
in by the defendant and co-conspirators in unreasonable restraint
of interstate trade and commerce, violated Section 1 of the
Sherman Act (15 U.S.C. § 1).

B. THE CONSPIRACY

3. The charged combination and conspiracy consisted of an agreement, understanding, and concert of action among the defendant and co-conspirators, the substantial terms of which were agreeing not to compete on prices of certain residential flush doors sold to certain customers in northeastern and mid-Atlantic states.

C. MEANS AND METHODS

4. 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, by:

(a) discussing prices of residential flush doors to be offered to certain U.S. customers prior to quoting those prices; and

(b) soliciting and obtaining assurances from one another about intentions to implement price increases of certain residential flush doors to certain U.S. customers.

D. DEFENDANT AND CO-CONSPIRATORS

5. MBD is a corporation organized and existing under the laws of the state of Michigan. During the period covered by this information, MBD's principal place of business was Chesterfield, Michigan. Its Doorcraft of Vermont division is based in Ludlow, Vermont. During the period covered by this information, MBD was engaged in the manufacture and sale of residential flush doors in limited geographic areas.

6. Various corporations and individuals, not made defendants in this information, participated as co-conspirators 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 any corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, employees, agents, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

E. TRADE AND COMMERCE

8. The business activities of the defendant and co-conspirators that are the subject of this information were within the flow of, and substantially affected, interstate trade and commerce.

F. JURISDICTION AND VENUE

9. The combination and conspiracy charged in this information was carried out, in part, within the District of Vermont, within the five years preceding the filing of this information.

All in violation of Title 15, United States Code, Section 1.

DATED _____ 1996

_____/s/_____

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_____/s/_____

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