IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA	)	
	)	Criminal No.: 399-CR-063-D
v.	)	
	)	Filed: 03/02/1999
ROBERT SAMUELSON,	)	
	)	Violation: 15 U.S.C. § 1
Defendant.	)	
	)	Judge Fitzwater

INFORMATION

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

I

DESCRIPTION OF THE OFFENSE

1. Robert Samuelson is hereby made a defendant on the charge stated below.

2. Beginning at least as early as January 1988 and continuing until at least September 29, 1998, the exact dates being unknown to the United States, the defendant and co-conspirators entered into and participated in a combination and conspiracy to suppress and eliminate competition by fixing the price of, allocating customers for, and the volume of, choline chloride sold in the United States and elsewhere. The defendant joined the conspiracy at least as early as 1992. The combination and conspiracy engaged in by the defendant and co-conspirators was in unreasonable restraint of interstate and foreign 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 co-conspirators, the substantial terms of which were:

(a) to agree to fix and maintain prices and to coordinate price increases for the sale of choline chloride in the United States and elsewhere;

(b) to agree to allocate among the corporate conspirators the volume of sales of choline chloride in the United States and elsewhere;

(c) to agree to allocate among the corporate conspirators customers of choline chloride in the United States and elsewhere;

(d) to allocate among the corporate conspirators all or part of certain contracts to supply choline chloride to various customers located throughout the United States;

(e) to refrain from submitting bids, or to submit collusive, non-competitive, and rigged bids to supply choline chloride to various customers located in the United States; and

(f) to supply choline chloride to various customers located throughout the United States at non-competitive prices and receive compensation therefore.

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, including, among other things:

(a) participating in meetings and conversations in the United States and elsewhere to discuss the prices and volume of choline chloride sold in the United States and elsewhere;

(b) agreeing, during those meetings and conversations, to charge prices at specified levels and otherwise to increase and maintain prices of choline chloride sold in the United States and elsewhere;

(c) agreeing, during those meetings and conversations, to allocate among the corporate conspirators the approximate volume of choline chloride to be sold by each corporate conspirator in the United States and elsewhere;

(d) agreeing, during those meetings and conversations, to allocate among the corporate conspirators customers of choline chloride in the United States and elsewhere;

(e) agreeing, during those meetings and conversations, to divide markets worldwide for choline chloride among the corporate conspirators;

(f) agreeing, during those meetings and conversations, to restrict choline chloride producing capacity among the corporate conspirators;

(g) exchanging sales and customer information for the purpose of monitoring and enforcing adherence to the above-described agreement;

(h) issuing price announcements and price quotations in accordance with the agreements reached;

(i) discussing among co-conspirators the submission of prospective bids to supply choline chloride to customers located throughout the United States;

(j) designating which corporate conspirator would be the designated low bidder for contracts to supply choline chloride to customers located throughout the United States;

(k) discussing and agreeing upon prices to be contained within the bids for contracts to supply choline chloride to customers in the United States;

(l) refraining from bidding or submitting intentionally high, complementary bids for the contracts to supply choline chloride to customers in the United States; and

(m) supplying choline chloride to various customers in the United States at non-competitive prices and receiving compensation therefore.

II

BACKGROUND

5. Choline chloride is a vitamin of the B-complex group. Choline chloride, or vitamin B4, is sold by manufacturers and resellers to customers in the animal nutrition industry. Choline chloride is an ingredient necessary for the proper growth and development of animals.

III

DEFENDANT AND CO-CONSPIRATORS

6. Beginning at least as early as 1992, Robert Samuelson was a national sales manager for Chinook Group, Inc., a wholly owned United States subsidiary of Chinook Group, Ltd. Chinook Group, Inc.'s principal place of business is in White Bear Lake, Minnesota. Chinook Group, Ltd., headquartered in Toronto, Canada, is a limited partnership that was formed

in and is currently organized and existing under the laws of Ontario, Canada. Chinook Group, Ltd. manufactures choline chloride in Toronto, Canada and, in conjunction with Chinook Group, Inc., is engaged in the sale of choline chloride throughout the United States and elsewhere.

7. Various corporations and individuals not made defendants herein participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance thereof.

8. Wherever 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.

IV

TRADE AND COMMERCE

9. During the period covered by this Information, the defendant and co-conspirators sold and distributed a substantial quantity of choline chloride in a continuous and uninterrupted flow of interstate and foreign trade and commerce to customers located in states or countries other than the states or countries in which the choline chloride was produced.

10. During the period covered by this Information, the activities of the defendant and co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate and foreign trade and commerce.

V

JURISDICTION AND VENUE

11. The combination and conspiracy charged in this Information was 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, UNITED STATES CODE, SECTION 1.

Dated:

"/s/"	"/s/"
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"/s/"
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