UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- X

UNITED STATES OF AMERICA

- against -

RANSOM SOPER III,

Defendant.

- X

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CLERK
U.S. DISTRICT COURT
E.D.N.Y.

INFORMATION

Cr.No. _____
T. 15, U.S.C. § 1
18, U.S.C. § 371

CR 08 245

BIANCO, J.
LINDSAY, M.

CRIMINAL INFORMATION

THE UNITED STATES OF AMERICA, THROUGH ITS ATTORNEYS, CHARGES THAT:

1. During the periods covered by this Information, Ransom Soper III (the "defendant") was an employee of Peck & Hale, LLC (P&H). During the periods covered by this Information, P&H was an entity organized and existing under the laws of New York with its principal place of business in West Sayville, New York. During the periods set forth in this Information, P&H was a provider of military tiedown equipment and cargo securing systems, including Navy straps, to the United States Department of Defense.

2. Various corporations and individuals, not made defendants in this Information, participated as co-conspirators in the offenses charged herein and performed acts and made statements in furtherance thereof.

Count I

(15 U.S.C. § 1)

DESCRIPTION OF THE OFFENSE

3. Beginning at least as early as January of 2002 and continuing until at least as late as December of 2004, the exact dates being unknown to the United States, the defendant and co-conspirators entered into and engaged in a combination and conspiracy to suppress and eliminate competition by submitting non-competitive bids to the United States Department of Defense on contracts for Navy straps. The combination and conspiracy engaged in by the defendant and co-conspirators was in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

4. 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 to rig bids on contracts for Navy straps sold to the United States Department of Defense.

MEANS AND METHODS OF THE CONSPIRACY

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:

(a) engaged in discussions regarding the sale of Navy straps to the United States Department of Defense;

(b) agreed during those discussions not to compete on certain contracts with the United States Department of Defense by not submitting prices or bids on those contracts;

(c) submitted bids in accordance with the agreements reached;

(d) sold Navy straps to the United States Department of Defense pursuant to those agreements at collusive and non-competitive prices; and

(e) accepted payments for Navy straps sold at collusive and noncompetitive prices.

TRADE AND COMMERCE

6. A Navy strap is a canvas item used by the United States Navy to secure munitions and other supplies for transportation on Navy ships and airplanes. During the period covered by Count I of this Information, P&H and its co-conspirators were engaged in manufacturing and selling Navy straps to the United States Department of Defense.

7. During the period covered by Count I of this Information, Navy straps sold by one or more of the conspirator firms, and equipment and supplies necessary to the production and distribution of Navy straps, as well as payments for Navy straps

and necessary supplies, traveled within the flow of, and substantially affected, interstate trade and commerce.

8. During the period covered by Count I of 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 commerce.

JURISDICTION AND VENUE

9. The combination and conspiracy charged in Count I of this Information was carried out, in part, within the Eastern District of New York within the five years preceding the filing of this Information.

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

Count II

(18 U.S.C. § 371)

DESCRIPTION OF THE OFFENSE

10. Beginning at least as early as May of 2002 and continuing until at least as late as January of 2005, the exact dates being unknown to the United States, the defendant, his co-conspirators and others known and unknown unlawfully, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit offenses against the United States of America, to wit, to violate Title 18, United States Code, Sections 1343 and 1346, in violation of Title 18, United States Code, Section 371. It was part and object of said conspiracy that the defendant and co-conspirators, having devised

and intended to devise a scheme and artifice to defraud P&H and deprive P&H of its right to the honest services of its employees, executed such scheme and artifice to defraud by and through the use of interstate phone calls.

MEANS AND METHODS OF THE CONSPIRACY

11. During the period covered by Count II of this Information, the defendant, Co-Conspirator Person A ("Person A"), and Co-Conspirator Person B ("Person B") participated in a scheme to defraud P&H, whereby they agreed, in a series of meetings and telephone calls, that Person A would pay monies to the defendant and Person B in exchange for ensuring that the defendant and Person B selected Person A's company as the exclusive distributor of P&H's products on the West Coast of the United States.

12. In execution of this scheme, Person A paid Person B and the defendant an amount greater than $140,000 to be split between them. In exchange, Person B and the defendant selected Person A's company to be the exclusive distributor for P&H's products on the West Coast.

13. Person B arranged for the receipt of the money over the course of eleven payments. Prior to each payment, Person B, in New York, and Person A, in California, communicated by telephone and then subsequently met in person at which time Person A gave Person B the money after which Person B would give a portion of the money to the defendant.

USE OF WIRES

14. As part of the conspiracy, and for the purpose of executing and attempting to execute the scheme to defraud, between approximately May 2002 and January 2005, Person A, situated in California, exchanged numerous telephone calls with Person B, situated in the Eastern District of New York, for the purpose of arranging the transfer of monies from Person A to Person B and the defendant in furtherance of the scheme to defraud. At the time the defendant entered into the scheme, it was foreseeable that the use of wires would be necessary to fully execute it.

OVERT ACT

15. In furtherance of the conspiracy and to effectuate the illegal objects thereof, the defendant was given by Person B an amount greater than $10,000, representing his share of the illicit proceeds of the conspiracy in the Eastern District of New York.

JURISDICTION AND VENUE

16. The conspiracy charged in Count II of this information was formed and carried out, in part, in the Eastern District of New York within the five years preceding the filing of this Information.

ALL IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 371.

Dated:

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