

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

UNITED STATES OF AMERICA	)	Criminal No.: 3:04CR0054AS
	)	
v.	)	Filed: May 27, 2004
	)	
STURGIS IRON & METAL CO., INC.,	)	Violation: 18 U.S.C § 1341
	)	
Defendant,	)	

INFORMATION

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

I
THE DEFENDANT

Sturgis Iron & Metal Co., Inc. (Sturgis), is made a defendant on the charge stated below. Sturgis is a scrap metal company incorporated in the State of Michigan with its headquarters in Sturgis, Michigan, and with a facility located in the Northern District of Indiana. The defendant operates as a scrap metal company, buying scrap metal from suppliers such as industrial manufacturers, sorting and processing the metal, and selling it to end users such as mills and foundries, or to other scrap metal dealers. After it collects scrap metal from its suppliers, Sturgis transports the metal to its own facilities where it weighs the metal on its own scales and pays the suppliers a price based on the weight of the metal.

II
DESCRIPTION OF THE OFFENSE

1. From in or around January 1995 through in or around December 2000, through its officers and employees, the defendant did knowingly devise a scheme and artifice to defraud and

for obtaining money and other property by means of false and fraudulent pretenses from nine of the suppliers who sold it scrap metal.

2. It was part of the scheme and artifice to defraud that the defendant falsified the weight of the scrap metal it received from nine of its suppliers. For these nine suppliers, the defendant caused scale tickets to be reprinted which falsely underreported the weight of the scrap metal sold to the defendant. The defendant then caused the original accurate scale tickets to be destroyed to conceal the true weights from its suppliers. The nine suppliers were paid through the mail by Sturgis with checks based on the false and fraudulent scale tickets. In total, the scheme and artifice to defraud resulted in suppliers receiving payments of \$154,399.20 less than they should have received.

3. Beginning in or around January 1995 and continuing through in or around December 2000, the defendant for the purpose of executing the scheme and artifice to defraud, placed false and fraudulent scale tickets and payment checks based on those scale tickets in authorized depositories for mail matter so that they were sent or delivered from South Bend, Indiana, and other places by the Postal Service to the defendant's nine suppliers, all in violation of 18 U.S.C. § 1341.

ALL IN VIOLATION OF TITLE 18 UNITED STATES CODE, SECTION 1341.

DATED: May 25, 2004

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