UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

v. :
Criminal No.95 CR 291(WK)

WILLIAM BARRETT : Filed: April 6, 1995
NUMISMATICS LIMITED,
:
15 U.S.C. §1
Defendant. :

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INFORMATION

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

1. William Barrett Numismatics Limited is made a defendant herein.

I

DESCRIPTION OF THE OFFENSE

2. Beginning at least as early as November 1990 and continuing to July 1991, the exact dates being unknown to the United States, the defendant and co-conspirators entered into and participated in a conspiracy to engage in collusive bidding for the purchase of numismatic items at a public auction entitled "Important World Banknotes and Artwork, from the Archives of the American Bank Note Company," commonly referred to as the "Leo Sale," conducted in New York, New York by Christie, Manson and Woods International, Inc. on November 28 and 29, 1990, in unreasonable restraint of interstate and foreign trade and commerce in violation Section 1 of the Sherman Act (15 U.S.C. §1).

3. The charged conspiracy consisted of an agreement, understanding and concert of action among the defendant and co-conspirators, the substantial term of which was to refrain from bidding competitively against one another for the purchase of numismatic items at the Leo Sale.

4. For the purpose of forming and effectuating the charged conspiracy, the defendant and co-conspirators did those things which they combined and conspired to do.

II

DEFENDANT AND CO-CONSPIRATORS

5. William Barrett Numismatics Limited is a corporation organized and existing under the laws of Canada and has its principal place of business in Montreal, Quebec, Canada. During the period covered by this Information, William Barrett Numismatics Limited was engaged in the purchase of numismatic items for resale.

6. Various persons and firms, not made defendants herein, participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance thereof.

III

INTERSTATE AND FOREIGN TRADE AND COMMERCE

7. Owners of numismatic items frequently consign them to auctioneers to sell at public auctions. Auctioneers attempt to maximize the compensation consignors receive from the sale of their numismatic items at public auctions by soliciting open and competitive bids from potential purchasers, including the

defendant and its co-conspirators. Auctioneers receive commissions for their services based on a percentage of the sale prices they obtain at public auctions.

8. The Leo Sale was advertised in newspapers, periodicals and catalogs which were published and/or distributed in states and countries other than the state and country in which the auction was held.

9. A substantial number of the potential purchasers at the Leo Sale, including the defendant and various co-conspirators, traveled across state lines and international boundaries to attend the Leo Sale.

10. A substantial number of the numismatic items purchased at the Leo Sale subsequently were transported across state lines and international boundaries in a continuous and uninterrupted flow of interstate and foreign commerce by or on behalf of the purchasers thereof, including the defendant and various co-conspirators.

11. During the period covered by this Information, the activities of the defendant and co-conspirators, as charged in this Information, were within the flow of, and substantially affected, interstate and foreign trade and commerce.

IV

JURISDICTION AND VENUE

12. The aforesaid combination and conspiracy was formed and carried out, in part, within the Southern District of New York within the five years preceding the filing of this Information.

Dated: March 9, 1995

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