

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA ) INFORMATION  
 )  
v. ) **Criminal No.: 3:97CR709**  
 )  
LARRY ANGEL, ) **Filed: [2/4/97]**  
 )  
Defendant. ) **15 U.S.C. § 1**  
  
**Judge: Potter**

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

I

DEFENDANT AND CO-CONSPIRATORS

1. Larry Angel is hereby made a defendant on the charge stated below. During the period covered by this information, the defendant was area manager for ACandS, Inc. (AC&S, Inc.) in Toledo, Ohio. AC&S, Inc. is headquartered in Lancaster, Pennsylvania and is a wholly-owned subsidiary of IREX, Corporation also of Lancaster, Pennsylvania. During the time period covered by this information, AC&S, Inc. was engaged in the business of, among other things, refractory lining construction and repair work.

2. 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.

II

BACKGROUND

3. Refractory lining construction is the construction of linings for furnaces or boilers, for example, using high-temperature resistant materials such as brick, concrete, cement, ceramics and plastics. From time to time, repair work also must be performed to maintain the integrity of these linings. Customers using refractory linings include refineries, auto manufacturers, and chemical and utility companies.

III

DESCRIPTION OF THE OFFENSE

4. Beginning at least as early as January 1993 and continuing thereafter until at least December 1995, the exact dates being unknown to the United States, the defendant and others entered into and engaged in a combination and conspiracy to suppress and restrain competition by rigging bids to job owners and general contractors for contracts to construct or repair refractory linings. 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).

5. 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 submit collusive, noncompetitive and rigged bids for refractory lining construction and repair contracts.

6. 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, including, among other things:

- (a) discussing among themselves the submission of prospective bids on certain refractory lining construction and repair contracts;
- (b) agreeing among themselves which company would be the low bidder for the aforementioned contracts; and
- (c) submitting collusive, noncompetitive and rigged bids for the aforementioned contracts.

IV

TRADE AND COMMERCE

7. During the period covered by this information, a substantial quantity of materials and equipment was purchased or hired by the defendant and co-conspirators from locations outside of the state of Ohio and transported into the state of Ohio for use in performing refractory lining construction and repair contracts.

8. On occasion, general contractors located outside of the state of Ohio sought and received bids from defendant and co-conspirators for jobs involving refractory lining construction and repair work.

9. 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.

V

JURISDICTION AND VENUE

10. The combination and conspiracy charged in this information was formed and carried out, in part, within the Northern District of Ohio, within the five years preceding the filing of this information.

ALL IN VIOLATION OF TITLE 15, United States Code, Section 1.

Dated:

\_\_\_\_\_/s/\_\_\_\_\_  
JOEL I. KLEIN  
Acting Assistant Attorney General

\_\_\_\_\_/s/\_\_\_\_\_  
LAURA HEISER

\_\_\_\_\_/s/\_\_\_\_\_  
GARY R. SPRATLING  
Deputy Assistant Attorney General

\_\_\_\_\_/s/\_\_\_\_\_  
PATRICIA A. ROSSI

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\_\_\_\_\_/s/\_\_\_\_\_  
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