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8 UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
9

10 UNITED STATES OF AMERICA)
11 v.) CR No.: 00-CR-10278
12 JEAN PIERRE CAGNAT,) 15 U.S.C. § 1 (Bid Rigging)
13 Defendant.) Judge: Nancy Gertner
14

15
16 INDICTMENT

17 The Grand Jury charges as follows:

18 I.

19 DESCRIPTION OF THE OFFENSE

20 1. JEAN PIERRE CAGNAT is hereby indicted and made a defendant on the
21 charge stated below.

22 2. Beginning in or about September 1996 and continuing until in or about
23 September 1997, the exact dates being unknown to the Grand Jury, the defendant and
24 his co-conspirators entered into and engaged in a combination and conspiracy to
25 suppress and eliminate competition by rigging bids and allocating contracts for the
26 sale of stay cable materials, supplies, and services (collectively, "stay cable systems")

1 used in the construction of cable-stayed bridges in the United States. The combination
2 and conspiracy engaged in by the defendant and his co-conspirators was an
3 unreasonable restraint of interstate trade and commerce, in violation of Section 1 of
4 the Sherman Act (15 U.S.C. § 1).

5 3. The charged combination and conspiracy consisted of a continuing
6 agreement, understanding, and concert of action among the defendant and his co-
7 conspirators, the substantial terms of which were:

- 8 (a) to raise or maintain prices for stay cable systems by refraining from
9 competitive bidding;
- 10 (b) to rig bids on contracts for the sale of stay cable systems; and
- 11 (c) to allocate among the defendant and his co-conspirators contracts
12 for the sale of stay cable systems.

13 II.

14 MEANS AND METHODS OF THE CONSPIRACY

15 4. For the purpose of forming and carrying out the charged combination and
16 conspiracy, the defendant and his co-conspirators did those things that they combined
17 and conspired to do, including, among other things:

- 18 (a) participating in a meeting in London, England in or about
19 September 1996 to discuss bids on stay cable systems;
- 20 (b) agreeing, during the 1996 London meeting, to participate in a bid
21 rotation scheme for stay cable systems;
- 22 (c) exchanging information, including price information, for upcoming
23 stay cable system bids; and
- 24 (d) submitting noncompetitive, rigged bids in accordance with the bid
25 rotation scheme on the following cable-stayed bridges:

- 1 (i) Sidney Lanier, located in Georgia;
- 2 (ii) Maysville, located in Kentucky and Ohio; and
- 3 (iii) Charles River, located in Massachusetts.

4 III.

5 DEFENDANT AND CO-CONSPIRATORS

6 5. Defendant is a resident and citizen of France. During the period covered
7 by this Indictment, defendant was the director of Freyssinet International et Cie
8 (“Freyssinet”), acting as its chief executive officer. Freyssinet is a French company in
9 the business of providing stay cable systems worldwide. Defendant supervised and
10 approved bids submitted on behalf of Freyssinet for the sale of stay cable systems in
11 the United States.

12 6. Various corporations and individuals, not made defendants in this
13 Indictment, participated as co-conspirators in the offense charged and performed acts
14 and made statements in furtherance of it.

15 7. Whenever in this Indictment reference is made to any act, deed, or
16 transaction of any corporation, the allegation means that the corporation engaged in
17 the act, deed, or transaction by or through its officers, directors, employees, agents, or
18 other representatives while they were actively engaged in the management, direction,
19 control, or transaction of its business or affairs.

20 IV.

21 TRADE AND COMMERCE

22 8. The stay cable systems sold in accordance with the charged combination
23 and conspiracy were used in cable-stayed bridges in various states.

24 9. During the period covered by this Indictment, there was a substantial,
25 continuous, and uninterrupted flow of interstate and foreign trade and commerce of
26 essential supplies, materials, and services used by the defendant and his co-

1 of this Indictment.

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

3 A TRUE BILL

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5 _____"/s/"_____
6 FOREPERSON

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9 _____"/s/"_____
10 Joel L. Klein
11 Assistant Attorney General

_____"/s/"_____
Christopher S Crook
Chief

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13 _____"/s/"_____
14 James M. Griffin
15 Deputy Assistant Attorney General

_____"/s/"_____
Jeane Hamilton
Barbara J. Nelson
Lisa V. Tenorio

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16 _____"/s/"_____
17 Scott D. Hammond
18 Director of Criminal Enforcement
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22 _____"/s/"_____
23 Donald K. Stern
24 United States Attorney
25 District of Massachusetts

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