

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 96-80009

v.

HONORABLE:

D- THEODORE SAWCHUK,

VIOLATION: 15 U.S.C. § 1

FILED: 08/31/2000 UNDER SEAL  
SEAL LIFTED: 01/10/2001

Defendant.

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INFORMATION

THE UNITED STATES CHARGES:

I

DESCRIPTION OF THE OFFENSE

1. Beginning at least as early as 1989 and continuing at least into April, 1995, the exact dates being unknown to the United States, defendant THEODORE SAWCHUK and co-conspirators engaged in a combination and conspiracy to suppress and eliminate competition by allocating contracts for tooling to General Motors Corporation. The charged combination and conspiracy unreasonably restrained interstate trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

2. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendant and co-

conspirators, the substantial terms of which were:

- (a) to allocate among the defendant and co-conspirators contracts for tooling on automotive projects to General Motors Corporation;
- (b) to submit collusive, noncompetitive and rigged bids for tooling contracts to General Motors Corporation; and
- (c) to provide tooling and receive payment therefor from General Motors Corporation as a result of the allocations and collusive bidding.

## II

### MEANS AND METHODS OF THE CONSPIRACY

3. For the purpose of forming and carrying out the charged combination and conspiracy, the defendant and co-conspirators did the following things, among others:

- (a) arranged that defendant and co-conspirators would be the only vendors allowed to bid on certain tooling contracts at General Motors Corporation;
- (b) discussed the submission of prospective bids for tooling contracts for various automotive projects at General Motors Corporation;
- (c) designated which defendant or co-conspirator would be the low, responsive bidder for tooling

contracts at General Motors Corporation;

- (d) designated which defendant or co-conspirators would submit intentionally high, complementary bids for tooling contracts at General Motors Corporation;
- (e) exchanged bid prices among defendants and co-conspirators before submission to General Motors Corporation; and
- (f) provided tooling and received payment from General Motors Corporation for tooling contracts issued as a result of the allocations and collusive bidding.

### III

#### DEFENDANTS AND CO-CONSPIRATORS

4. SA-GO Industries, Inc. was a corporation organized and existing under the laws of the State of Michigan with its principal place of business in Fraser, Michigan. During the period covered by this Information, SA-GO Industries, Inc. created and installed tools and other related devices in Michigan. During the period covered by this Information, THEODORE SAWCHUK was the president of SA-GO Industries, Inc.

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

6. Whenever this Information refers to any act, deed or transaction of any corporation, it means that the corporation engaged in the act, deed or transaction by or through its officers, directors, employees, agents, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

#### IV

#### TRADE AND COMMERCE

7. During the period covered by this Information, SA-GO Industries, Inc. was a fabricator and installer of tooling and related devices in Michigan.

8. During the period covered by this Information, SA-GO Industries, Inc. purchased raw materials, equipment, and other supplies in substantial amounts from manufacturers or other suppliers outside of the state of Michigan in a continuous and uninterrupted flow of interstate commerce.

9. The activities of the defendant, THEODORE SAWCHUK, 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 carried out, in part, within the Eastern District of Michigan and within the five years preceding the filing of this Information.

ALL IN VIOLATION OF TITLE 15 U.S.C. SECTION 1.

\_\_\_\_\_  
"/s/"  
JOEL I. KLEIN  
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Antitrust Division

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"/s/"  
SAUL A. GREEN  
United States Attorney  
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"/s/"  
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