

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 96-80009

v.

HONORABLE: DENISE PAGE HOOD

VIOLATION: 18 U.S.C. § 1341

D-10 FREDERICK L. WATSON, JR.,

OFFENSE: Mail Fraud

Defendant.

SEVENTH SUPERSEDING
INFORMATION

THE UNITED STATES OF AMERICA 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 FREDERICK L. WATSON, JR. and others devised and intended to devise a scheme and artifice to defraud (as defined in title 18, United States Code, Section 1346) General Motors Corporation of:

(a) money; and

- (b) its right to the honest services of a General Motors Corporation employee in soliciting free and open competition for the bidding of various tooling jobs, such bidding to be conducted honestly, fairly, and free from craft, trickery, deceit, corruption, dishonesty, and fraud.

2. It was part of said scheme and artifice to defraud that the defendant, would and did:

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

II

DEFENDANT AND CO-CONSPIRATORS

3. During the period covered by this Information, FREDERICK L. WATSON, JR. was the president of Motorama Engineering, Inc. Motorama Engineering, Inc. is a

corporation organized and existing under the laws of the State of Michigan with its principal place of business in Farmington, Michigan.

4. 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.

5. 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.

III

MAILING

6. On or about December 14, 1990, for the purpose of executing said scheme and artifice to defraud, and attempting to do so, the defendant, FREDERICK L. WATSON, JR., knowingly caused a check to be drawn and executed from Motorama Engineering Inc.'s corporate account, check number 14156, made out to Kill & Beshke Associates, Inc., and to be delivered by mail, using the United States Postal Service.

IV

JURISDICTION AND VENUE

7. The scheme and artifice to defraud 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, excluding the period during which the statute of limitations has been suspended pursuant to agreements with the defendant (attachment 1 and 2).

ALL IN VIOLATION OF TITLE 18 U.S.C. SECTION 1341.

A. DOUGLAS MELAMED
Acting Assistant Attorney General
Antitrust Division

SAUL A. GREEN
United States Attorney
Eastern District of Michigan

JAMES M. GRIFFIN
Deputy Assistant Attorney General

KEITH E. CORBETT
Assistant U.S. Attorney

SCOTT D. HAMMOND
Director of Criminal Enforcement

ERIC M. STRAUS
Assistant U.S. Attorney

SCOTT M. WATSON
Chief, Cleveland Field Office

MICHAEL F. WOOD
Assistant Chief, Cleveland Field Office

KEVIN C. CULUM
Attorney, Cleveland Field Office

BRIAN J. STACK
Attorney, Cleveland Field Office
Dated:



AGREEMENT TO TOLL THE RUNNING OF THE STATUTE OF LIMITATIONS

The United States of America, by and through Saul A. Green, United States Attorney and Eric M. Straus, Assistant United States Attorney, all for the Eastern District of Michigan, and Frederick Watson, by and through his attorneys, Robert Harrison and Plato Cacheris, do hereby agree as follows:

1. The United States Attorney's Office for the Eastern District of Michigan shall not commence any criminal action prior to June 23, 2000, without first notifying Frederick Watson of any action pursuant to Title 18 of the United States Code against him.

2. The running of any statute of limitations pertaining to any criminal violations of the United States Code shall be tolled from March 24, 2000, and shall remain tolled through and including June 23, 2000, with respect to any criminal claims which might be brought by the United States Attorney's Office for the Eastern District of Michigan pursuant to the United States Code. Accordingly, as to any action by the United States Attorney's Office of the Eastern District of Michigan pursuant to the United States Code, the parties to this agreement shall not include the period of time from March 24, 2000, through and including June 23, 2000, for the purpose of determining the statute of limitations, the doctrines of waiver, laches, or estoppel, the applicability of Rule 48, Fed. R. Crim. P., or any statutory or constitutional right to a speedy trial or to the absence of pre-indictment delay.

3. Frederick Watson specifically reserves and does not waive any defenses, including those specified above, that may be available to him prior to March 24, 2000, or that may become available upon the expiration of this tolling agreement, excluding any consideration of the time periods covered by this agreement, or any extension or supplement to this agreement.

4. The parties agree that if the United States Attorney's Office for the Eastern District of Michigan has not commenced any action against Frederick Watson on or before June 23, 2000, this tolling agreement, notwithstanding any other provisions of this agreement, shall continue in effect after June 23, 2000, until Frederick Watson notifies the United States Attorney's Office for the Eastern District of Michigan of his intent to terminate this agreement. Such written notification of intent to terminate this tolling agreement shall

become effective 14 days after the receipt of such notification by the United States Attorney. After June 23, 2000, the United States Attorney's Office for the Eastern District of Michigan shall not be required to provide advance notice of the filing of criminal charges.

SAUL A. GREEN
United States Attorney

ERIC M. STRAUS
Assistant United States Attorney

Dated:_____

FREDERICK WATSON

Dated:_____

ROBERT HARRISON
Attorney for Frederick Watson

Dated:_____

PLATO CACHERIS
Attorney for Frederick Watson

Dated:_____

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EASTERN DISTRICT OF MICHIGAN
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UNITED STATES OF AMERICA,

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HONORABLE: DENISE PAGE
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D-10 FREDERICK L. WATSON, JR.,

OFFENSE: Mail Fraud

Defendant.

WAIVER OF STATUTE OF LIMITATIONS

FREDERICK L. WATSON, JR., the above-named Defendant, who has agreed to enter into the attached Information and Plea Agreement, wherein he agrees to plead guilty to Mail Fraud, in violation of 18 U.S.C. § 1341, hereby waives the running of any statute of limitations from December 14, 1990, the date on which Frederick L. Watson, Jr. committed the overt act which perpetuated the fraud, namely the drawing of check number 14156 payable to Kill & Beshke Associates, Inc., which was delivered by mail using the United States Postal Service, through March 24, 2000. Accordingly, as to any action by the United States Attorney's Office of the Eastern District of Michigan pursuant to 18 U.S.C. § 1341, the period of time from December 14, 1990, through and including March 24, 2000,

shall not be included for the purpose of determining the statute of limitations, the doctrines of waiver, laches, or estoppel, the applicability of Federal Rule of Criminal Procedure 48, or any statutory or constitutional right to a speedy trial or to the absence of pre-indictment delay.

FREDERICK L. WATSON, JR.,
Defendant

ROBERT S. HARRISON
Counsel for Frederick L. Watson, Jr.

PLATO CACHERIS
Counsel for Frederick L. Watson, Jr.

JOHN F. HUNDLEY
Counsel for Frederick L. Watson, Jr.

DATE: _____