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UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

IKE TOMLINSON,

Defendant.

Case No. 1:23-cr-00326-AKB

**FIRST SUPERSEDING INFORMATION
AS TO DEFENDANT IKE TOMLINSON**

Count 1: 15 U.S.C. § 1

(conspiracy in restraint of trade: bid
rigging and territorial allocation)

Count 2: 15 U.S.C. § 2

(conspiracy to monopolize trade)

The United States Attorney charges:

COUNT ONE

**Conspiracy in Restraint of Trade: Bid Rigging and Territorial Allocation
15 U.S.C. § 1**

From at least as early as March 2015 until in or about March 2023, in the District of Idaho and elsewhere, the Defendant IKE TOMLINSON, Kris Bird, and others knowingly joined a combination and conspiracy to suppress and eliminate competition by rigging bids and allocating territories for wildfire fuel truck contracts with the United States Forest Service. The bid-rigging and territorial allocation combination and conspiracy engaged in by the Defendant, Kris Bird, and co-conspirators was a *per se* unlawful, and thus unreasonable, restraint of interstate trade and commerce, in violation of the Sherman Act, Title 15, United States Code, Section 1. The combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the Defendant, Bird, and co-conspirators, the substantial terms of which were to rig bids and allocate territories for wildfire fuel truck contracts with the United States Forest Service. During the period covered by this Information, the business activities of the Defendant, Bird, and co-conspirators that are the subject of the combination and conspiracy charged in this Count One were within the flow of, and substantially affected, interstate trade and commerce.

COUNT TWO

**Conspiracy to Monopolize Trade
15 U.S.C. § 2**

From at least as early as February 2020 until in or about March 2023, in the District of Idaho and elsewhere, the Defendant IKE TOMLINSON, Kris Bird, and others knowingly joined a combination and conspiracy to monopolize the market for wildfire fuel truck services in certain dispatch centers of the United States Forest Service's Great Basin wildfire dispatch region

(Region 4), in violation of the Sherman Act, Title 15, United States Code, Section 2. The combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the Defendant, Bird, and co-conspirators to acquire and maintain monopoly power—i.e., the power to control prices or exclude actual or potential competition—in the relevant market through anticompetitive conduct, including acts that are *per se* unlawful under the Sherman Act. The Defendant joined the conspiracy, knowing its object and intending to help accomplish it. That is, the Defendant specifically intended to help acquire and maintain monopoly power in the relevant market. During the period covered by this Information, the business activities of the Defendant, Bird, and co-conspirators that are the subject of the combination and conspiracy charged in this Count Two were within the flow of, and substantially affected, interstate trade and commerce.

Dated this 8th day of April 2024.

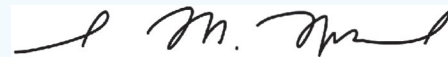


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