UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
APR 25 2019
U.S. CLERK'S OFFICE
INDIANAPOLIS, INDIANA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
v.	)	CAUSE NO.
	)	
CELADON GROUP, INC.,	)	1:19-cr-0141 JRS -DML
	)	
Defendant.	)	

INFORMATION

The United States of America charges that:

COUNT ONE
Conspiracy to Commit Securities Fraud, and to Falsify Books, Records, and Accounts of a Public Company
Title 18, United States Code, Section 371

From at least in or around June 2016 until in or around April 2017, within the Southern District of Indiana and elsewhere, the Defendant, Celadon Group, Inc., its co-conspirator employees, acting to benefit Celadon Group, Inc., and within the scope of their employment, did knowingly and willfully combine, conspire, confederate and agree with themselves and others, known and unknown to:

a. knowingly and willfully execute a scheme and artifice (1) to defraud any person in connection with any security of Celadon Group, Inc., an issuer with a class of securities registered under Section 12 of the Securities Exchange Act of 1934 (15 U.S.C. § 78l), and (2) to obtain, by means of materially false and fraudulent pretenses, representations, and promises, and by statements containing material omissions, any money and property in connection with the purchase and sale of any security of Celadon Group, Inc., an issuer with a class of securities registered under

Section 12 of the Securities Exchange Act of 1934 (15 U.S.C. § 78l), in violation of Title 18, United States Code, Section 1348.

b. knowingly and willfully falsify, and cause to be falsified, books, records, and accounts required to, in reasonable detail, accurately and fairly reflect the transactions and dispositions of Celadon Group, Inc., in violation of Title 15, United States Code, Sections 78m(b)(2)(A), 78m(b)(5), and 78ff(a).

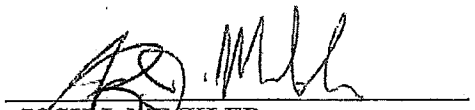
In furtherance of the conspiracy and to achieve its objects and purpose, at least one of the co-conspirators committed and caused to be committed, in the Southern District of Indiana, and elsewhere, the following overt acts, among others:

a. On or about September 13, 2016, Celadon Group, Inc. and its co-conspirators made and caused a SEC Form 10-K to be published, which contained materially false and misleading statements to Celadon Group, Inc.'s shareholders and members of the investing public.

b. On or about November 9, 2016, Celadon Group, Inc. and its co-conspirators made and caused a SEC Form 10-Q to be published, which contained materially false and misleading statements to Celadon Group, Inc.'s shareholders and members of the investing public.

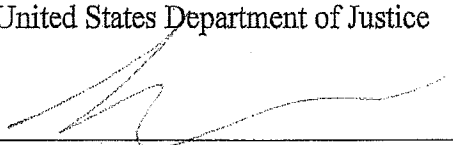
c. Between approximately June 2016 and October 2016, Celadon Group, Inc. and its co-conspirators falsely recorded the values of assets involved in trade transactions with another trucking company ("Truck Dealer 1") on its books at inflated values and not fair market value.

All in violation of Title 18, United States Code, Section 371.



JOSH J. MINKLER
United States Attorney
Southern District of Indiana

ROBERT A. ZINK
Acting Chief, Fraud Section
United States Department of Justice

By: 

Kyle W. Maurer
L. Rush Atkinson
Trial Attorneys
Securities and Financial Fraud Unit

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Steven D. DeBrota and Nicholas J. Linder, being first duly sworn, upon oath depose and say that they are Assistant United States Attorneys in and for the Southern District of Indiana, that they make this affidavit for and on behalf of the United States of America, and that the allegations in the foregoing Information are true as they are informed and verily believe.

Steven D. DeBrota
Deputy Chief, General Crimes Unit
Nicholas J. Linder
Assistant United States Attorney

Subscribed and sworn to before me, a notary public, on this 22nd day of April, 2019.

Guey Jen Yang
Notary Public

My Commission Expires:

June 27, 2022

My County of Residence:

Hendricks

GUEY JEN YANG
Commission Expires
06-27-2022
NOTARY PUBLIC
NOTARY SEAL
Comm. #653454
Hendricks County
STATE OF INDIANA