



Department of Justice

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CARGOLUX AIRLINES INTERNATIONAL EXECUTIVES PLEAD GUILTY FOR FIXING SURCHARGE RATES ON AIR CARGO SHIPMENTS

Airline Executives Agree to Serve Prison Time

WASHINGTON — Two executives of Luxembourg-based Cargolux Airlines International S.A. have each pleaded guilty and agreed to serve 13 months in prison for participating in a conspiracy to fix cargo rates for international air shipments, the Department of Justice announced.

Ulrich Ogiermann, the former president and CEO, and current employee of Cargolux, and Robert Van de Weg, the senior vice president of sales and marketing for Cargolux, pleaded guilty today to the charges contained in an indictment filed on Oct. 28, 2010, in U.S. District Court in West Palm Beach, Fla. Ogiermann and Van de Weg pleaded guilty to conspiring with others to suppress and eliminate competition by fixing and coordinating certain surcharges, including security and fuel surcharges, charged to customers located in the United States and elsewhere for air cargo shipments including shipments to and from the United States. According to the indictment, Ogiermann participated in the conspiracy from at least as early as October 2001 until at least February 2006, and Van de Weg participated in the conspiracy from at least as early as December 2003 until at least February 2006. Under the plea agreements, Ogiermann and Van de Weg have also each agreed to pay a \$20,000 criminal fine and to cooperate with the department's ongoing investigation.

Air cargo carriers transport a variety of cargo shipments, such as heavy equipment, perishable commodities and consumer goods, on scheduled international flights.

Including Ogiermann and Van de Weg, a total of 22 airlines and 21 executives have been charged in the Justice Department's ongoing investigation into price fixing in the air transportation industry. To date, more than \$1.8 billion in criminal fines have been imposed and four executives have been sentenced to serve prison time.

Ogiermann and Van de Weg are charged with price fixing in violation of the Sherman Act, which carries a maximum fine of \$1 million and up to 10 years in prison. The maximum fine may be increased to twice the gain derived from the crime or twice the loss suffered by the victims of the crime, if either of those amounts is greater than the statutory maximum fine.

Today's guilty pleas are the result of a joint investigation into the air transportation industry being conducted by the Antitrust Division's National Criminal Enforcement Section and the Atlanta Field Office, the FBI's Atlanta Field Office, the Department of Transportation's Office of Inspector General and the U.S. Postal Service's Office of Inspector General. Anyone with information concerning price fixing or other anticompetitive conduct in the air transportation industry is urged to call the Antitrust Division's National Criminal Enforcement Section at 202-307-6694, visit www.justice.gov/atr/contact/newcase.htm or call the FBI's Atlanta Field Office at 404-679-9000.

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