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PRESS RELEASE

FORMER AGGREGATE INDUSTRIES EXECUTIVES PLEAD GUILTY TO OBSTRUCTION OF JUSTICE

Boston, MA... Two former high-level executives at Aggregate Industries, formerly known as Bardon Trimount, a contracting company located in Saugus, Massachusetts, pleaded guilty today in federal court to witness tampering in connection with a federal grand jury investigation.

United States Attorney Michael J. Sullivan; Kenneth W. Kaiser, Special Agent in Charge of the Federal Bureau of Investigation in New England; and Theodore L. Doherty, Special Agent in Charge of the U.S. Department of Transportation, Office of the Inspector General, Office of Investigations, announced that **WILLIAM COWHIG**, age 67, of 14 Silverbridge Road, Topsfield, Massachusetts, and **LUIGI IULIANO**, age 48, of 9 Seneca Road, Winchester, Massachusetts, pleaded guilty before U.S. District Judge Rya Zobel. Specifically, **COWHIG** pleaded guilty to one felony count of witness tampering and **IULIANO** pleaded guilty to one misdemeanor count of witness tampering.

Aggregate Industries, Inc., a contracting company headquartered in Saugus, Massachusetts, is one of the largest suppliers of road construction products including aggregate (crushed stone), ready-mix concrete and bituminous concrete (asphalt), in Massachusetts for use in public and private construction projects. The company formerly operated under the name of Bardon Trimount Corporation until late 2000 or early 2001 when it changed its name to Aggregate Industries, Inc. During the time of the offenses, **COWHIG** was an Executive Vice President at Bardon Trimount and **IULIANO** was the General Manager of Sales for Bardon Trimount's aggregate, bituminous and ready mix products, as well as their soil remediation and recycling projects.

At today's plea hearing, the prosecutor told the Court that, had the case proceeded to trial, the evidence would have proven that the owner and President of a family-owned company that produced and supplied aggregate products to customers in eastern Massachusetts, was cooperating with the federal government in an ongoing investigation concerning a bid rigging scheme involving Bardon Trimount, **COWHIG** and **IULIANO**. The Cooperating Witness ("CW") had been a competitor of Bardon Trimount for many years, bidding on numerous

aggregate contracts that Bardon Trimount also bid on. Also at certain time the CW was a supplier to Bardon Trimount.

In early April, 2002, the CW received a subpoena to testify before a federal Grand Jury. Following receipt of the subpoena, the CW met individually with **COWHIG** and **IULIANO** to let them know. Under the supervision of investigating agents, the CW tape recorded his conversations with **COWHIG** and **IULIANO**.

On April 11 and 12, 2002, **IULIANO** intentionally harassed the CW in an attempt to dissuade the CW from testifying before a federal Grand Jury. Among other things, **IULIANO** told the CW on April 11, 2002 while discussing the CW's impending Grand Jury testimony, "Well my first reaction would be to hire nobody and play dumb and say what are you looking for? And I would just bring your, your ah, your bids. You know, what you bid, what you actually bid. Don't bring them any of the paperwork." And in a second conversation on April 12, 2002, **IULIANO** told the CW, "But, if you are evasive and as vague or just, you know, don't, don't offer any more than what they ask. And even what they ask, tell them half..."

The CW also had conversations with **COWHIG** about the Grand Jury subpoena. On April 17, 2002, **COWHIG** told the CW that, "... if they, under oath, ask you what, have you talked to anybody about this?... You're gonna have to, you'll deny it right out of the box." In a second conversation on April 19, 2002, **COWHIG** told the CW, "There's nothing in my books, I don't keep records on bids. So there's nothing they can find on me if they decide to subpoena me. And I would die before I mentioned anything. They'd have to pull my f**n' nails out."

Judge Zobel scheduled sentencing for April 6, 2005 at 2:00 p.m. Based on plea agreements filed with the Court, **COWHIG** and **IULIANO** each face a sentencing range of 6 to 12 months in home detention.

The case was investigated by Special Agents of the Federal Bureau of Investigation and the Department of Transportation, Office of the Inspector General, Office of Investigations. It is being prosecuted by Assistant U.S. Attorneys Allison Burroughs and Jonathan Mitchell in Sullivan's Economic Crimes Unit.

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