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U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

MAY 01 2009

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LONG ISLAND OFFICE

UNITED STATES OF AMERICA

INFORMATION

- against -

Cr.No. 09-266-JFB  
T. 15, U.S.C. § 1

THOMAS J. DEGIROLAMO,

Defendant.

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CRIMINAL INFORMATION

THE UNITED STATES OF AMERICA, THROUGH ITS ATTORNEYS, CHARGES THAT:

1. During the period covered by this Information, Thomas J. DeGirolamo (the "defendant") was the sole owner and president of a designing and manufacturing company ("Manufacturer-1"). During the period covered by this Information, Manufacturer-1 was an entity organized and existing under the laws of New York with its principal place of business in Ronkonkoma, New York. During the period covered by this Information, Manufacturer-1 was a provider of Navy straps to the United States Department of Defense.

2. Various corporations and individuals, not made defendants in this Information, participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance thereof.

DESCRIPTION OF THE OFFENSE

3. Beginning at least as early as March of 2004 and continuing until November of 2007, the exact dates being unknown to the United States, the defendant and co-conspirators entered into and engaged in a combination and conspiracy to suppress and eliminate competition by agreeing to allocate a government contract for Navy straps sold to the United States Department of Defense. The combination and conspiracy engaged in by the defendant and co-conspirators was in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

4. The charged combination and conspiracy consisted of an agreement, understanding, and concert of action among the defendant and co-conspirators to allocate a government contract for Navy straps sold to the United States Department of Defense.

MEANS AND METHODS OF THE CONSPIRACY

5. For the purpose of forming and carrying out the charged combination and conspiracy, the defendant and co-conspirators did those things that they combined and conspired to do, including, among other things:

- (a) engaged in discussions regarding the sale of Navy straps to the United States Department of Defense;

- (b) agreed during those discussions not to compete on a certain contract with the United States Department of Defense;
- (c) developed products and submitted prices in accordance with the agreement reached;
- (d) sold Navy straps to the United States Department of Defense pursuant to the agreement at collusive and non-competitive prices; and
- (e) accepted payments for Navy straps sold at collusive and noncompetitive prices.

TRADE AND COMMERCE

6. A Navy strap is a canvas item used by the United States Navy to secure munitions and other supplies for transportation on Navy ships and airplanes. During the period covered by this Information, Manufacturer-1 was engaged in manufacturing and selling Navy straps to the United States Department of Defense.

7. During the period covered by this Information, Navy straps sold by Manufacturer-1, and equipment and supplies necessary to the production and distribution of Navy straps, as well as payments for Navy straps and necessary supplies, traveled within the flow of, and substantially affected, interstate trade and commerce.

8. During the period covered by this Information, the activities of the defendant and co-conspirators that are the

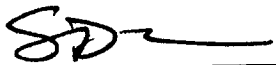
subject of this Information were within the flow of, and substantially affected, interstate commerce.

JURISDICTION AND VENUE

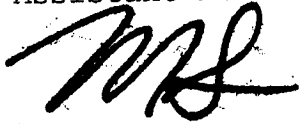
9. The combination and conspiracy charged in this Information was carried out, in part, within the Eastern District of New York within the five years preceding the filing of this Information.

ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

Dated:



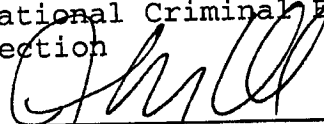
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