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APR - 7 2009

CLERK US DISTRICT COURT
DISTRICT OF ARIZONA
BY _____ DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Edward William O'Brien III,

Defendant.

Case No. *CR09-365-PHX-FJM*

INFORMATION

VIO: 18 U.S.C. § 1505
(Obstruction)
Count 1

(Under Seal)

THE UNITED STATES CHARGES:

Count 1

In or about late-summer 2006, in the District of Arizona, the defendant EDWARD WILLIAM O'BRIEN III, knowingly, intentionally, and corruptly influenced, obstructed, and impeded, and endeavored to influence, obstruct, and impede, the due and proper administration of the law under which a proceeding before the United States Securities and Exchange Commission ("SEC"), an agency of the United States, was being had. Specifically, defendant EDWARD WILLIAM O'BRIEN III, in his position as controller of a large specialty retailer of

1 automotive parts and accessories and knowing that the SEC was investigating allegations of
2 fraud in connection with financial disclosures by his employer, corruptly made material false
3 statements and omitted material information during an internal investigation interview in order
4 to influence, obstruct, and impede the SEC's investigation.

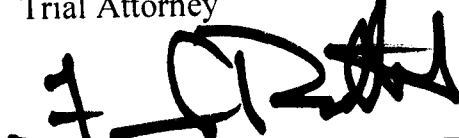
5 In violation of Title 18, United States Code, Section 1505.

6 Dated this 17th day of March, 2009.

8 DIANE J. HUMETEWA
9 United States Attorney
District of Arizona

10 STEVEN A. TYRRELL
11 United States Department of Justice
12 Chief, Criminal Division, Fraud Section

13 
14 for PATRICK F. STOKES
15 Trial Attorney

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17 for ANDREW H. WARREN
18 Trial Attorney, Fraud Section