



Department of Justice

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**FORMER EXECUTIVE OF INDIANA READY MIXED CONCRETE PRODUCER
AGREES TO PLEAD GUILTY TO PRICE-FIXING CHARGE**

Agrees to Serve Eight Months in Prison and to Pay a \$70,000 Criminal Fine

WASHINGTON, D.C. – The former president of an Indiana ready mixed concrete company has agreed to plead guilty, to serve eight months in prison, and to pay a \$70,000 criminal fine for his role in a conspiracy to fix the price of ready mixed concrete sold in certain counties in Indiana, the Department of Justice announced.

According to court papers filed today in United States District Court in Indianapolis, Larry Lee conspired with an unnamed co-conspirator executive from another ready mixed concrete producer to fix the price at which ready mixed concrete was sold in the Indiana counties of Bartholomew, Jackson, and Jennings beginning in or about February 2003 and continuing until approximately June 2004.

As stated in the charge, Lee and co-conspirators not only agreed to specific price increases for ready mixed concrete, but also to the specific timing of those price increases. During the period covered by the conspiracy, Lee's company sold at least \$7 million worth of ready mixed concrete that was affected by the conspiracy to its customers using the agreed-upon prices.

Ready mixed concrete is a product whose ingredients include cement, aggregate (sand and gravel), water and, at times, other additives. Ready mixed concrete, which is made on demand and, if necessary, shipped to work sites by concrete mixer trucks, is purchased by do-it-

yourself customers, commercial customers, as well as local, state, and federal governments for use in various construction projects, including sidewalks, driveways, bridges, tunnels, and roads.

“Price fixing harms government, corporate, and individual consumers by depriving them of the benefits of fair and competitive pricing,” said Scott D. Hammond, the Antitrust Division’s Deputy Assistant Attorney General for Criminal Enforcement. “The Division is continuing its efforts to prosecute price fixers.”

Lee was charged with price fixing in violation of Section One of the Sherman Act (15 U.S.C. § 1), which, at the time of the offense, carried a maximum penalty for individuals of three years in prison and a fine of \$350,000. 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.

Under the terms of the plea agreement, which is subject to court approval, Larry Lee has agreed to serve a term of eight months in prison, two months home confinement, and pay a \$70,000 criminal fine.

Today’s charge resulted from the Antitrust Division’s ongoing investigation of the ready mixed concrete industry being conducted by its Chicago Field Office in conjunction with the Indianapolis office of the Federal Bureau of Investigation (FBI).

Anyone with information concerning price fixing or other anticompetitive conduct in the ready mixed concrete industry should contact the Chicago Field Office of the Antitrust Division at 312-353-7530 or the Indianapolis office of the FBI at 317-639-3301. All press inquiries should be directed to the Public Affairs Office of the Department of Justice at 202-514-2007.

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