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1 LESLIE A. WULFF (CSBN 277979)  
2 MANISH KUMAR (CSBN 269493)  
3 RYAN STRUVE (DCBN 495406)  
4 United States Department of Justice  
5 Antitrust Division  
6 450 Golden Gate Avenue  
7 Box 36046, Room 10-0101  
8 San Francisco, California 94102  
9 Telephone: (415) 934-5300  
10 Facsimile: (415) 934-5399  
11 Manish.Kumar@usdoj.gov

12 Attorneys for the United States

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

SI

CR17 297

15 UNITED STATES OF AMERICA,

Case No. 17 CR \_\_\_\_\_

16 v.

INFORMATION

17 STEPHEN L. HODGE,  
18 Defendant.

15 U.S.C. § 1 — Price Fixing

19 The United States of America, acting through its attorneys, charges:

20 I.

21 DESCRIPTION OF THE OFFENSE

22 1. STEPHEN L. HODGE (“defendant”) is hereby made defendant on the charge  
23 contained in this Information.

24 2. Beginning as early as 2011 and continuing until in or about 2013, the exact  
25 dates being unknown to the United States, in the Northern District of California and  
26 elsewhere, the defendant and his coconspirators knowingly entered into and engaged in a  
27 combination and conspiracy to fix, raise, and maintain the prices of packaged seafood sold in  
28 the United States. The combination and conspiracy engaged in by the defendant and

1 coconspirators was an unreasonable restraint of interstate commerce in violation of Section 1  
2 of the Sherman Antitrust Act (15 U.S.C. § 1).

3 3. The charged combination and conspiracy consisted of a continuing agreement,  
4 understanding, and concert of action among the defendant and coconspirators, the substantial  
5 terms of which were to fix, raise, and maintain prices of packaged seafood.

6 4. Packaged seafood includes shelf-stable tuna fish.

7 II.

8 DEFENDANT AND COCONSPIRATORS

9 5. During the time period covered by this Information, the defendant was a  
10 resident of Pennsylvania and a citizen of the United States. From at least as early as May  
11 2010 until at least as late as December 2013, the defendant was employed by Company B as a  
12 Senior Vice President of Sales.

13 6. During the period covered by this Information, Company B was a producer of  
14 packaged seafood and was engaged in the sale of packaged seafood in the United States and  
15 elsewhere.

16 7. Various business organizations and individuals, not made defendants in this  
17 Information, participated as coconspirators in the offense charged in this Information and  
18 performed acts and made statements in furtherance of it.

19 III.

20 MEANS AND METHODS OF THE CONSPIRACY

21 8. For the purpose of forming and carrying out the charged combination and  
22 conspiracy, the defendant and his coconspirators did those things that they combined and  
23 conspired to do, including, among other things:

24 a. engaged in conversations and discussions and attended meetings with  
25 representatives of other major packaged-seafood-producing firms;

26 b. agreed and reached mutual understandings during these conversations,  
27 discussions, and meetings, to fix, raise, and maintain the prices of packaged seafood sold in the  
28 United States; and

1 c. negotiated prices and issued price announcements for packaged seafood in  
2 accordance with the agreements and mutual understandings reached.

3 IV.

4 TRADE AND COMMERCE

5 9. During the period covered by this Information, packaged seafood sold by the  
6 defendant and one or more of the coconspirator firms, and equipment and supplies necessary  
7 to the production and distribution of packaged seafood, as well as payments for packaged  
8 seafood, traveled in interstate commerce.

9 10. During the period covered by this Information, the business activities of the  
10 conspirators in connection with the sale of packaged seafood were within the flow of, and  
11 substantially affected, interstate commerce.

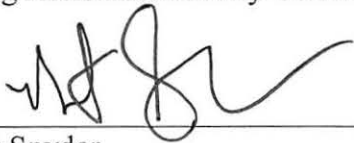
12 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

13 

14 Andrew C. Finch  
15 Acting Assistant Attorney General

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14 E. Kate Patchen  
15 Chief, San Francisco Office

16 

17 Brent Snyder  
18 Deputy Assistant Attorney General

19 

20 Marvin N. Price  
21 Director of Criminal Enforcement  
22 United States Department of Justice  
23 Antitrust Division

19 

20 Leslie A. Wulff, Trial Attorney  
21 Manish Kumar, Assistant Chief  
22 Ryan Struve, Trial Attorney  
23 United States Department of Justice  
24 Antitrust Division

24 

25 Brian Stretch  
26 United States Attorney  
27 Northern District of California