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CIVIL INVESTIGATIONS UNCOVER EVIDENCE OF CRIMINAL CONDUCT



Recent Division criminal cases in the packaged seafood and hop-on, hop-off tour bus markets arose in part from uncovered in civil investigations in those industries. These investigations reflect civil staff's attention to detail and civil and criminal staff to appropriately execute parallel proceedings.



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The Division recently investigated the proposed merger of Thai Union Group P.C.L., owner of Tri-Union Seafoods Chicken of the Sea International (Chicken of the Sea) and Bumble Bee Foods LLC (Bumble Bee), which was put in mid-2015. As civil attorneys reviewed information and party materials produced in the ordinary course of business discovered materials that appeared to raise criminal concerns. Recognizing the potential criminal implications of it they reached out to their criminal counterparts in the Division.

As a result of the civil attorneys' keen eyes, the Division opened a criminal investigation into collusion in the pack industry. To date, the criminal investigation has resulted in guilty pleas from two senior vice presidents of leading seafood companies for conspiring to fix the price of packaged seafood, such as canned tuna. The Division's crim is ongoing. The merger, however, was abandoned.



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The Division's investigation into a New York City tour bus joint venture led to a civil settlement and a criminal charge for obstruction of justice. After a civil investigation, the Division concluded that the formation of Twin America LLC competitors Coach USA Inc. and City Sights LLC an unlawful monopoly over the New York City hop-on, hop-off tour and allowed them to increase prices to customers. The civil investigation resulted in a settlement in March 2015 in which defendants relinquished all of City Sights' Manhattan bus stop authorizations and disgorged \$7.5 million in ill-gott

In the course of their investigation, the civil attorneys were alerted to potential spoliation and obstruction. They al

criminal counterparts to this behavior, and the Division opened a criminal investigation into Coach USA Inc.'s form of information technology for concealing and attempting to destroy documents relevant to the civil investigation.

In October 2016, the former vice president of information technology pleaded guilty to obstruction of justice charge conduct. On March 23, 2017, he was sentenced to 15 months' imprisonment.

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