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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

FILED

MAY - 8 2017

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRB

CR17

249

16 UNITED STATES OF AMERICA,
17 Plaintiff,

18 v.

19 BUMBLE BEE FOODS, LLC,
20 Defendant.

Case No. 17 CR _____

INFORMATION

15 U.S.C. § 1 — Price Fixing

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

22 I.

23 DESCRIPTION OF THE OFFENSE

24 1. BUMBLE BEE FOODS, LLC (“defendant”) is hereby made defendant on the
25 charge contained in this Information.

26 2. Beginning at least as early as the first quarter of 2011 and continuing until at
27 least as late as the fourth quarter of 2013, the exact dates being unknown to the United States,
28 in the Northern District of California and elsewhere, the defendant and its coconspirators
knowingly entered into and engaged in a combination and conspiracy to fix, raise, and
maintain the prices of packaged seafood sold in the United States. The combination and

1 conspiracy engaged in by the defendant and coconspirators was an unreasonable restraint of
2 interstate commerce in violation of Section 1 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. For purposes of this Information, packaged seafood consists of shelf-stable
7 tuna fish.

8 II.

9 DEFENDANT AND COCONSPIRATORS

10 5. During the time period covered by this Information, the defendant was a
11 corporation organized and existing under the laws of Delaware and had its principal place of
12 business in San Diego, California.

13 6. During the time period covered by this Information, the defendant was a
14 producer of packaged seafood and was engaged in the sale of packaged seafood in the
15 United States and 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 8. Whenever in this Information reference is made to any act, deed, or transaction
20 of any business organization, the allegation means that the business organization engaged in
21 the act, deed, or transaction by or through its officers, directors, employees, agents, or other
22 representatives while they were actively engaged in the management, direction, control, or
23 transaction of its business or affairs.

24 III.

25 MEANS AND METHODS OF THE CONSPIRACY

26 9. For the purpose of forming and carrying out the charged combination and
27 conspiracy, the defendant and its coconspirators did those things that they combined and
28 conspired to do, including, among other things:

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

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

6 c. negotiated prices with customers and issued price announcements for
7 packaged seafood in accordance with the agreements and mutual understandings reached.

8 IV.

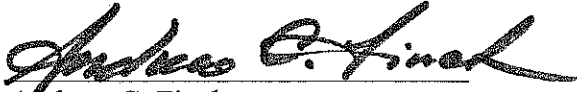
9 TRADE AND COMMERCE

10 10. During the time period covered by this Information, packaged seafood sold by
11 the defendant and one or more of the coconspirator firms, and equipment and supplies
12 necessary to the production and distribution of packaged seafood, as well as payments for
13 packaged seafood, traveled in interstate commerce.

14 11. During the time period covered by this Information, the business activities of
15 defendant and its coconspirators in connection with the sale of packaged seafood were within
16 the flow of, and substantially affected, interstate commerce.

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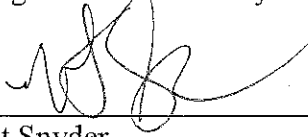
1 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

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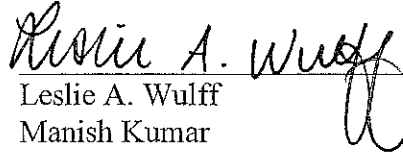
3 Andrew C. Finch
4 Acting Assistant Attorney General



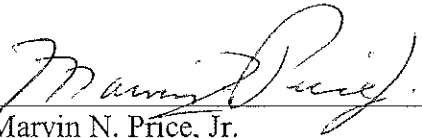
5 E. Kate Patchen
6 Chief, San Francisco Office

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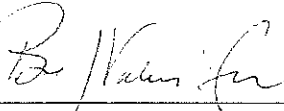
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