

U.S. Department of Justice

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PRESS RELEASE

**AGGREGATE INDUSTRIES EXECUTIVES
INDICTED FOR PRICE FIXING CONSPIRACY, MAIL FRAUD
AND WITNESS TAMPERING**

Boston, MA... Two high-level executives at Aggregate Industries, formerly known as Bardon Trimount, a contracting company located in Saugus, Massachusetts, were indicted today in federal court on charges of mail fraud, witness tampering, and conspiracy to collude and fix prices on stone contracts.

United States Attorney Michael J. Sullivan; Charles S. Prouty, Special Agent in Charge of the Federal Bureau of Investigation in New England; and Ned E. Schwartz, Special Agent in Charge of the U.S. Department of Transportation, Office of the Inspector General, Office of Investigation, announced that **WILLIAM COWHIG**, age 65, of 14 Silverbridge Road, Topsfield, Massachusetts, and **LUIGI IULIANO**, age 46, of 9 Seneca Road, Winchester, Massachusetts, were indicted today and charged with conspiring to collude and fix prices, mail fraud, and witness tampering in connection with six contracts for aggregate products.

Aggregate Industries, Inc., a contracting company headquartered in Saugus, Massachusetts, is one of the largest suppliers of road construction products including aggregate (crushed stone), ready-mix concrete and bituminous concrete (asphalt), in Massachusetts for use in public and private construction projects. The company formerly operated under the name of Bardon Trimount Corporation until late 2000 or early 2001 when it changed its name to Aggregate Industries, Inc. **COWHIG** is Aggregate Industries' Senior Vice President and **IULIANO** is the General Manager of Sales for Aggregate Industries' Aggregate, Bituminous and Ready Mix Products, and their Soil Remediation and Recycling programs.

The indictment alleges that from January of 1998 through February of 2002, **COWHIG** and **IULIANO** colluded with the owner and operator of another aggregate business by revealing confidential price information so as to artificially determine who would be the low bidder on six stone contracts. It is further alleged that **COWHIG** and **IULIANO** submitted and caused to be submitted false and fraudulent certifications of non-collusion on their bids. Specifically, the indictment alleges that **COWHIG** and **IULIANO** were involved in price fixing on the following

six contracts: the 1998 MBTA Charlestown Yard Contract; the 1998 Malden Cinema Contract; the 1998 Lynn Water & Sewer Commission Contract; the 2000 MBTA Charlestown Yard Contract; the 2001 MBTA Charlestown Yard Contract; and the 2002 Charlestown Yard Contract.

Additionally, the indictment alleges that after the individual with whom **COWHIG** and **IULIANO** were colluding received a grand jury subpoena, **COWHIG** and **IULIANO** attempted to corruptly persuade him to withhold records that were specifically requested in the grand jury subpoena and to testify falsely.

COWHIG and **IULIANO** were previously arrested on September 9, 2002 on criminal complaints. They will be arraigned on the indictment on Monday, September 30, 2002 at 10:00 a.m. before U.S. Magistrate Judge Marianne B. Bowler.

If convicted on the conspiracy offense, **COWHIG** and **IULIANO** each face a maximum possible penalty of 5 years' incarceration and a \$250,000 fine. The mail fraud offense also carries a maximum possible penalty of 5 years' incarceration and a \$250,000 fine. The witness tampering offense carries a maximum possible penalty of 10 years' incarceration and a \$250,000 fine.

The investigation is continuing.

The case was investigated by Special Agents of the Federal Bureau of Investigation and the Department of Transportation, Office of the Inspector General, Office of Investigation. It is being prosecuted by Assistant U.S. Attorney Amy Lederer in Sullivan's Public Corruption and Special Prosecutions Unit.

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