2006R00951/am

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
v.	:	Criminal No.
ANTHONY MANN, SR.	:	Title 18, United States Code, Section 371

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE
(Conspiracy to Demand and Receive Unlawful Labor Payments - Title 18, United States Code, Section 371)

Introduction

1. At all times relevant to this Information unless otherwise stated:

a. Defendant ANTHONY MANN, SR. was a member of Local 825 of the International Union of Operating Engineers (hereinafter "Local 825").

b. Local 825, headquartered in Springfield, New Jersey, was a "labor organization" as that term is defined in Title 29, United States Code, Sections 142(3), 152(5), 402(i) and (j). It represented, sought to represent, and would have admitted to membership construction equipment operators, mechanics, and surveyors. Local 825 represented approximately 7,000 members, many of whom were employed at various construction projects in New Jersey and New York. Local 825, through its

officers and agents, entered into collective bargaining agreements (hereinafter "CBAs") with employers that employed operating engineers. These agreements contained provisions pertaining to conditions of employment, such as rates of pay and fringe benefits, and the circumstances under which an employer was obligated to man certain types of construction equipment, such as cranes, backhoes, forklifts, and booms, with Local 825 operating engineers, among other things.

c. Kenneth P. Campbell, a co-conspirator not named as a defendant herein, was Local 825's Business Manager and was employed by the union.

d. Peter O. Strannemar, a co-conspirator not named as a defendant herein, was the President of Local 825 and was employed by the union.

e. Craig Wask, a co-conspirator not named as a defendant herein, was employed by Local 825 as a business agent.

f. A company incorporated in New Jersey that engaged in the business of erecting steel (hereinafter "Steel Erector Company") employed operating engineers who were represented by and would be admitted to membership in Local 825.

g. A company incorporated in Delaware that engaged in the business of plumbing (hereinafter "Plumbing Company") employed operating engineers who were represented by and would be admitted to membership in Local 825.

h. A company headquartered in New York that engaged in the business of commercial window installation (hereinafter "Window Company") employed operating engineers who were represented by and would be admitted to membership in Local 825.

i. A company incorporated in New Jersey that engaged in the business of snow removal (hereinafter "Plow Company") employed operating engineers who were represented by and would be admitted to membership in Local 825. A.A., a co-conspirator not named as a defendant herein, was an employee of the Plow Company.

j. The Steel Erector Company, Plumbing Company, Window Company, Plow Company, and Co-Conspirator A.A. were each "employers" as that term is defined in Title 29, United States Code, Sections 142 and 152(2), and the employees of each company were employed in an industry affecting commerce.

Construction Project in Jersey City, New Jersey

2. Beginning as early as in or around 2000, a construction project commenced to build a high-rise commercial building at 30 Hudson Street, Jersey City, New Jersey (hereinafter "Jersey City Project").

3. At all times relevant to this Information:

a. Each company referred to in Paragraph 1(j) of this Count was contracted to work at the Jersey City Project and was required to employ Local 825 members at the project.

b. Defendant ANTHONY MANN, Sr. was the lead engineer at the Jersey City Project and was a "representative" within the meaning of Title 29, United States Code, Section 186(a)(1) at the Jersey City Project and occupied a position of trust in relation to the union and its members as a group under Title 29, United States Code, Section 501(a).

The Conspiracy

4. From in or around May 2001 to in or around July 2003, in Hudson County, in the District of New Jersey and elsewhere, defendant

ANTHONY MANN, SR.,

being a representative of the Local 825 members employed at the Jersey City Project, including the operating engineers of each company referred to in Paragraph 1(j) of this Count, knowingly and willfully conspired and agreed with Co-Conspirators Kenneth P. Campbell, Peter O. Strannemar, Craig Wask, A.A., and others to commit offenses against the United States, that is, to request, demand, receive, and accept, the payment, loan, and delivery of money and things of value, namely, United States currency in an amount in excess of $1,000, from employers, namely, the companies and individual referred to in Paragraph 1(j) of this Count, whose employees were employed in an industry affecting commerce, namely, the construction industry, and whose employees such labor organization represented, sought to represent, and would have admitted to membership, contrary Title 29, United States Code, Sections 186(a)(1), (a)(2), (b)(1), and (d)(2).

Object of the Conspiracy

5. It was an object of the conspiracy that defendant ANTHONY MANN, SR. and Co-Conspirators Kenneth P. Campbell, Peter O. Strannemar, and Craig Wask unlawfully requested and received cash payments and other things of value from the companies referred to in Paragraph 1(j) of this Count at the Jersey City Project.

Manner and Means of the Conspiracy

Steel Erector Company

6. It was part of the conspiracy that defendant ANTHONY MANN, SR. demanded cash from the Steel Erector Company to ensure labor peace and to permit the company to circumvent the CBA to which it was subject.

7. It was further part of the conspiracy that the Steel Erector Company delivered approximately $4,000 in cash per month to defendant ANTHONY MANN, SR. In total, defendant ANTHONY MANN, SR. and his co-conspirators obtained at least $88,000 in cash from the Steel Erector Company.

Plumbing Company

8. It was further part of the conspiracy that defendant ANTHONY MANN, SR. demanded and received cash payments from the Plumbing Company to ensure labor peace and to permit the company to circumvent the CBA to which it was subject. In total, defendant ANTHONY MANN, SR. and his co-conspirators obtained at least $23,600 in cash from the Plumbing Company.

9. It was further part of the conspiracy that defendant ANTHONY MANN, SR. and Co-Conspirator Peter O. Strannemar demanded and received free household appliances, valued in excess of $1,000, from the Plumbing Company.

Window Company

10. It was further part of the conspiracy that defendant ANTHONY MANN, SR. demanded and received cash payments from the Window Company to ensure labor peace and to permit the company to circumvent the CBA to which it was subject. In total, defendant ANTHONY MANN, SR. and his co-conspirators obtained at least $25,000 in cash from the Window Company.

Plow Company

11. It was further part of the conspiracy that defendant ANTHONY MANN, SR. and Co-Conspirator Craig Wask steered two contracts to the Plow Company to plow snow at the Jersey City Project and an adjacent project.

12. It was further part of the conspiracy that defendant ANTHONY MANN, SR. and Co-Conspirator Craig Wask accepted and received approximately $20,000 in cash and in checks from Co-Conspirator A.A. for steering the two contracts to the Plow Company.

Delivery of Unlawful Labor Payments

13. It was further part of the conspiracy that after defendant ANTHONY MANN, SR. illegally received the cash from the Steel Erector Company, Plumbing Company, Window Company, and Plow Company, he kept some of the cash for himself and delivered the remaining cash to Co-Conspirator Craig Wask.

14. It was further part of the conspiracy that Co-Conspirator Craig Wask kept some of the illegally obtained cash for himself and delivered portions of the cash to Co-Conspirators Kenneth P. Campbell and Peter O. Strannemar.

Overt Acts

15. In furtherance of the conspiracy and in order to effect the object thereof, defendant ANTHONY MANN, SR. and his co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

Steel Erector Company

a. In or around April 2003, defendant ANTHONY MANN, SR. received approximately $4,000 in cash from the Steel Erector Company.

Plumbing Company

b. On or about May 22, 2003, defendant ANTHONY MANN, SR. received approximately $1,000 in cash from the Plumbing Company.

c. In or around late April 2003, defendant ANTHONY MANN, SR. transported household appliances, purchased by the Plumbing Company, to Co-Conspirator Peter O. Strannemar's cabin in New York.

Window Company

d. In or around 2002, defendant ANTHONY MANN, SR. demanded cash from the Window Company.

Plow Company

e. On or about July 8, 2003, Co-Conspirator A.A. caused a check to be issued from a third party to defendant ANTHONY MANN, SR. in the amount of $5,000.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

(Conspiracy to Demand and Receive Unlawful Labor Payments - Title 18, United States Code, Section 371)

1. The allegations set forth in Paragraph 1 of Count One of this Information are hereby realleged as if set forth fully herein.

2. At all times relevant to this Information:

a. A.H., a co-conspirator not named as a defendant herein, was employed by Local 825 as a business agent.

b. A.C., a co-conspirator not named as a defendant herein, was the President of a construction company located in Newton, New Jersey (hereinafter "Company One").

Construction Project in Fairfield, New Jersey

3. In or around September 2005, Co-Conspirator A.C., on behalf of his company, signed a Job Site Agreement with Local 825. This Job Site Agreement required Company One to employ Local 825 operating engineers at a construction project in Fairfield, New Jersey (hereinafter "Fairfield Project"). At the Fairfield Project, Company One and Co-Conspirator A.C. were "employers" as that term is defined in Title 29, United States Code, Sections 142 and 152(2), and the employees of Company One were employed in an industry affecting commerce.

4. Defendant ANTHONY MANN, SR. was employed by Company One as a heavy equipment operator at the Fairfield Project.

The Conspiracy

5. From in or around September 2005 through in or around mid 2006, in Essex County, in the District of New Jersey and elsewhere, defendant

ANTHONY MANN, SR.,

knowingly and willfully conspired and agreed with Co-Conspirators A.H., A.C., and others to commit an offense against the United States, that is, to request, demand, receive, and accept, the payment, loan, and delivery of money and things of value, namely, United States currency in an amount in excess of $1,000, from an employer and an individual acting on behalf of an employer, namely, Company One and Co-Conspirator A.C., whose employees were employed in an industry affecting commerce, namely, the construction industry, and whose employees Local 825 represented, sought to represent, and would have admitted to membership, contrary Title 29, United States Code, Sections 186(a)(2), (b)(1), and (d)(2).

Object of the Conspiracy

6. It was an object of the conspiracy that defendant ANTHONY MANN, SR. and Co-Conspirator A.H. unlawfully requested and received approximately $5,000 in cash from Co-Conspirator A.C. to permit Company One to use non-union labor at the Fairfield Project, contrary to the Job Site Agreement, thereby saving the company a significant amount of money.

Manner and Means of the Conspiracy

7. It was part of the conspiracy that Co-Conspirator A.C. sought Co-Conspirator A.H.'s permission to employ a non-union mechanic at the Fairfield Project.

8. It was further part of the conspiracy that Co-Conspirator A.C. gave defendant ANTHONY MANN, SR. approximately $5,000 in cash for permitting Company One to employ a non-union mechanic at the project.

9. It was further part of the conspiracy that defendant ANTHONY MANN, SR. kept a portion of the cash obtained from Co-Conspirator A.C. and delivered a portion of the cash to Co-Conspirator A.H.

Overt Acts

10. In furtherance of the conspiracy and in order to effect the object thereof, defendant ANTHONY MANN, SR. and his co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. In or around September 2005, Co-Conspirator A.C. sought Co-Conspirator A.H.'s permission to employ a non-union mechanic at the Fairfield Project.

b. In or around the mid 2006, defendant ANTHONY MANN, SR. received approximately $5,000 in cash from Co-Conspirator A.C.

c. In or around mid 2006, defendant ANTHONY MANN, SR. delivered at least $2,000 in cash to Co-Conspirator A.H.

All in violation of Title 18, United States Code, Section 371.

Christopher J. Christie

CHRISTOPHER J. CHRISTIE
United States Attorney

CASE NUMBER: _____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

ANTHONY MANN, SR.

INFORMATION FOR

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