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**PRESS RELEASE**

# Company, Executive and Employee Indicted for \$100M Price-Fixing Conspiracy Involving Publicly Funded Infrastructure Projects

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Thursday, August 8, 2024

**For Immediate Release**

Office of Public Affairs

A federal grand jury in Oklahoma City returned an indictment, which was unsealed today, charging Sioux Erosion Control, Inc. (Sioux), its vice president and another employee with a price-fixing conspiracy targeting over \$100 million in publicly-funded transportation construction contracts across Oklahoma.

According to court documents, it is alleged that Vice President BG Dale Biscoe, Randall David Shelton and Sioux conspired with their competitors in the erosion control industry to raise and maintain prices for products and services from approximately September 2017 through April 2023. Erosion control products and services, including sod, are used to control runoff of soil or rock on highway construction and repair projects. In addition to conspiring to raise prices for sod, it is alleged that the defendants and their co-conspirators agreed to divide up contracts across different areas of Oklahoma and rigged bids for particular projects by submitting intentionally high-priced bids or outright refusing to bid.

“Protecting competition for taxpayer-funded infrastructure projects remains a priority for the Antitrust Division,” said Assistant Attorney General Jonathan Kanter of the Justice Department’s Antitrust Division. “This indictment shows the Justice Department and its Procurement Collusion Strike Force partners’ commitment to protecting taxpayer dollars throughout Oklahoma and across the country from brazen collusion.”

“My office is committed to root out price-fixing, collusion and fraud in taxpayer-funded projects,” said U.S. Attorney Robert J. Troester for the Western District of Oklahoma. “We are proud to work with our law enforcement partners in this effort to protect integrity in publicly-funded ventures and preserve the public trust.”

“Today’s announcement represents the FBI’s commitment to protecting competitive markets from those who try to cheat the system,” said Acting Special Agent in Charge Joseph Skarda of the FBI Oklahoma City Field Office. “We will continue to work alongside our law enforcement partners to uncover these harmful schemes and hold the perpetrators responsible.”

“Violations of the nation’s antitrust laws will be taken seriously and those who circumvent federal bidding and contract regulations will be held accountable,” said Special Agent in Charge Joseph Harris of the Department of Transportation Office of Inspector General (DOT-OIG), Southern Region. “This investigation demonstrates our commitment to working with our law enforcement and prosecutorial partners to uproot and expose brazen fraud schemes devised purely for personal gain.”

Four individuals — including a former Sioux employee — previously pleaded guilty for their roles in the charged conspiracy. Those individuals have not yet been sentenced.

Biscoe, Shelton and Sioux are charged with a violation of Section 1 of the Sherman Act. The maximum penalty for individuals is 10 years in prison and a \$1 million criminal fine. The maximum penalty for corporations is a \$100 million criminal fine. If convicted, a federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The DOT-OIG and FBI Oklahoma City Field Office investigated the case.

Trial Attorneys Bethany Lipman, Matthew Grisier and Marc Hedrich of the Antitrust Division’s Washington Criminal Section and Assistant U.S. Attorney Charles Brown for the Western District of Oklahoma are prosecuting the case.

Anyone with information about this investigation or other procurement fraud schemes should notify the Procurement Collusion Strike Force (PCSF) at [www.justice.gov/atr/webform/pcsf-citizen-complaint](http://www.justice.gov/atr/webform/pcsf-citizen-complaint). The Justice Department created the PCSF in November 2019. It is a joint law enforcement effort to combat antitrust crimes and related fraudulent schemes that impact government procurement, grant and program funding at all levels of government – federal, state and local. For more information, visit [www.justice.gov/procurement-collusion-strike-force](http://www.justice.gov/procurement-collusion-strike-force).

*An indictment is merely an allegation. All defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.*

*Updated August 8, 2024*

## Topic

**ANTITRUST**

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August 7, 2024

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August 5, 2024

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The Justice Department today filed a civil lawsuit and announced a proposed settlement with Legends Hospitality Parent Holdings LLC (Legends) for an alleged violation of the Hart-Scott-Rodino Act (HSR Act).

August 5, 2024



**Office of Public Affairs**

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