

STATE OF NEW YORK
BROOME COUNTY COURT
COUNTY OF BROOME

THE PEOPLE OF THE STATE OF NEW YORK

-against-

BERT ADAMS DISPOSAL, INC.,

Defendant.

SUPERIOR COURT
INFORMATION No. 18-158 (AG)

STATE OF NEW YORK)
COUNTY OF BROOME) ss.:

SUPERIOR COURT INFORMATION,
ORDER AND WAIVER

COMBINATION IN RESTRAINT OF
TRADE AND COMPETITION

GENERAL BUSINESS LAW
§§ 340 and 341

ERIC T. SCHNEIDERMAN
Attorney General State of New York
120 Broadway, New York, NY 10271-0332

STATE OF NEW YORK
BROOME COUNTY COURT
COUNTY OF BROOME

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-against-

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Defendant.

SUPERIOR COURT
INFORMATION No. 18-158 (AG)

COUNT ONE

I, ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL OF THE STATE OF NEW YORK, by this Superior Court Information, accuse the defendant of the crime of COMBINATION IN RESTRAINT OF TRADE AND COMPETITION, in violation of General Business Law §§ 340 and 341, committed as follows:

In or about July 2014 through in or about May 2016, in the County of Broome, the defendant knowingly and intentionally entered into or engaged in or continued to engage in, a contract, agreement, arrangement, or combination in unreasonable restraint of competition and the free exercise of activity in the conduct of business, trade, and commerce, *to wit*, in or about July 2014 through in or about May 2016, in Broome County, the defendant, acting in concert with others, knowingly and intentionally entered into collusive contracts, agreements, arrangements, or combinations thereof, to rig bids for waste-hauling, recycling, and related

services, depriving customers of their right to free competition and in turn forcing customers to pay excessive prices for services.

Dated: April 9, 2018

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York

By: 

Mary A. Gorman, Assistant Attorney General
Public Integrity Bureau

STATE OF NEW YORK
BROOME COUNTY COURT
COUNTY OF BROOME

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-against-

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WAIVER OF INDICTMENT AND
ORDER PURSUANT TO CPL ARTICLE 195.00

Defendant hereby waives indictment and consents to be prosecuted by a Superior Court Information charging the offenses of COMBINATION IN RESTRAINT OF TRADE AND COMPETITION, in violation of General Business Law §§ 340 and 341, a class E felony. A copy of that Superior Court Information is attached hereto and is a part of this waiver.

Defendant is aware of the following:

- (a) Under the Constitution of the State of New York, the defendant has the right to be prosecuted by Indictment filed by Grand Jury;
- (b) Defendant waives such right and consents to be prosecuted by Superior Court Information to be filed by Attorney General Eric T. Schneiderman;
- (c) The Superior Court Information to be filed by the Attorney General will charge the offense named in this written waiver; and
- (d) The Superior Court Information to be filed by the Attorney General will have the same force and effect as an Indictment filed by a Grand Jury.

Signed in open court, and in the presence of my attorney,


MICHAEL A. BERLIN, ESQ., Attorney for
BERT ADAMS DISPOSAL, INC.

I have explained this waiver to Defendant, and I have signed it in open court on behalf of the Defendant.


Michael A. Berlin, Attorney for Defendant

I, the Attorney General of the State of New York, hereby consent to this waiver.

ERIC T. SCHNEIDERMAN
Attorney General State of New York

By: 
Mary A. Gorman, Assistant Attorney General
Public Integrity Bureau

This Court being satisfied that this waiver complies with the provisions of CPL §§ 195.10 and 195.20, it is ORDERED that this waiver is approved.

Dated: Binghamton, NY
April 9, 2018


HON. 
BROOME COUNTY COURT JUDGE

STATE OF NEW YORK
BROOME COUNTY COURT
COUNTY OF BROOME

THE PEOPLE OF THE STATE OF NEW YORK

-against-

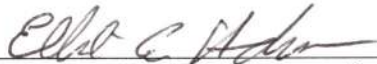
BERT ADAMS DISPOSAL, INC.,

Defendant.

SUPERIOR COURT
INFORMATION No. 18-158 (AG)

WAIVER OF RIGHT TO APPEAL

The undersigned Defendant, in consideration of and as part of the plea agreement entered into, hereby waives any and all rights to appeal from the plea, judgment of conviction and sentence in the above-captioned matter. Defendant executes this waiver after being advised by the Court of the nature of the rights being waived, including the right to take an appeal pursuant to CPL 450.10, the right to prosecute the appeal as a poor person and to have an attorney assigned in the event that the undersigned is indigent, and the right to submit a brief and/or argue before an appellate court on any issues relating to the plea, conviction and sentence. Defendant represents that this waiver is being voluntarily, knowingly and freely executed by him.



ELBERT E. ADAMS, Owner, for
BERT ADAMS DISPOSAL, INC.

The undersigned attorney represents that prior to the signing of the foregoing waiver, the above-named defendant was fully advised of the rights of a convicted person to take an appeal under the laws of New York State. The undersigned further represents that, in his professional opinion, the instant waiver by the defendant of the right to appeal was voluntarily, knowingly and freely made. The undersigned recommends to the Court that this waiver be approved.



Michael A. Berlin, Attorney for Defendant

The defendant executed the foregoing waiver in the presence of this Court, and with the approval of this Court and the advice and consent of the Defendant's attorney and after the Court reviewed this waiver with Defendant.

Dated: Binghamton, NY
April 9, 2018



HON. John F. Cook
BROOME COUNTY COURT JUDGE