

STATE OF NEW YORK      BINGHAMTON CITY COURT  
COUNTY OF BROOME      CITY OF BINGHAMTON

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THE PEOPLE OF THE STATE OF NEW YORK

-against-

MISDEMEANOR  
COMPLAINT

CHRISTOPHER J. KLINE (DOB 01/23/1963),

Defendant.

Docket No. *α* 00254978

Mary A. Gorman  
Assistant Attorney General  
(315) 448-4824

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Investigator Joel Cordone, a police officer with the New York State Office of the Attorney General (OAG), and the Complainant herein, accuses the defendant, Christopher J. Kline, of having committed the crime of Attempted Combination in Restraint of Trade and Competition

COUNT ONE

The defendant, Christopher J. Kline, committed the crime of ATTEMPTED COMBINATION IN RESTRAINT OF TRADE AND COMPETITION, a class A misdemeanor, in violation of New York State Penal Law § 110 and New York State General Business Law §§ 340 and 341, when, in or about March 2015, in the City of Binghamton, County of Broome, State of New York, he attempted to enter into or engage in or continue 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*,

the defendant, an employee of Bert Adams Disposal, Inc., a corporation in the business of waste-hauling and recycling, while acting in concert with others, knowingly and intentionally attempted to enter into a collusive contract, agreement, arrangement, or combination thereof, with an individual from Taylor Garbage Service, Inc., a competitor in the waste-hauling and recycling business, to restrain competition in the waste-hauling industry, by submitting a deliberately inflated price quote to a customer located at 20 Front Street in the City of Binghamton, in an effort to ensure that Taylor Garbage Service, Inc. would retain that customer.

*This Complaint is based on information and belief, the sources of which are my investigation conducted on behalf of the OAG, including but not limited to, the review and analysis of business records, telephone records and other records, interviews of witnesses, and other investigative techniques, among other sources.*

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## FACTUAL ALLEGATIONS

1. Christopher J. Kline (hereafter the “defendant”) is currently an employee of Bert Adams Disposal, Inc. (“Bert Adams Disposal”), a family-owned corporation established in 1976, incorporated under the laws of New York State, and located at 521 Main Street, Chenango Bridge, New York 13745 in Broome County.
2. Bert Adams Disposal provides various waste-management services, including trash collection, transfer and disposal, recycling services, commercial dumpsters, roll-off container rentals, and delivery and pick-up.
3. Bert Adams Disposal serves a variety of residential, commercial and municipal customers in New York State, including Broome, Chenango, Delaware, Cortland, Madison and Otsego counties.
4. From 2014 through 2016, the defendant was employed by Bert Adams Disposal.
5. Beginning in or around July 2014, the defendant and others conspired with individuals from competitor Taylor Garbage Service, Inc. (“Taylor Garbage”) to rig bids, allocate customers and fix prices for Bert Adams Disposal’s waste hauling and recycling services.
6. The defendant and others at Bert Adams Disposal and Taylor Garbage continued this conspiracy through in-person meetings, phone calls, and text messages.
7. In or about March 2015, in the City of Binghamton, the defendant attempted to enter into a collusive contract, agreement, arrangement, or combination thereof with an employee from Taylor Garbage, to restrain competition in the waste-management industry by submitting a deliberately inflated price quote to a Taylor Garbage customer located at 20 Front Street in the City of Binghamton, in an effort to ensure that Taylor Garbage would retain that customer and that the customer would continue to pay high prices for waste-hauling services.

8. The following text message exchange between the defendant and the Taylor Garbage employee in or about March 2015 illustrates the defendant's attempt to enter into a collusive contract, agreement, arrangement, or combination thereof with Taylor Garbage, to restrain trade in the waste-hauling industry, specifically with respect to this customer located at 20 Front Street in the City of Binghamton:

Sender	Recipient	Date	Hour	Text Content
Chris Kline	Jared Taylor	03/26/15	9:30:37	20 front at calling me for numbers
Jared Taylor	Chris Kline	03/26/15	9:31:05	20 front st bing?
Chris Kline	Jared Taylor	03/26/15	9:31:17	Yes
Jared Taylor	Chris Kline	03/26/15	9:36:18	\$130.00 1/week on a 4yd Terrible at paying too
Chris Kline	Jared Taylor	03/26/15	9:39:48	10/4...just called him...quoted 150 plus8&8
Chris Kline	Jared Taylor	03/26/15	9:39:57	Stays green

*Notice: False statements made herein are punishable as a Class A misdemeanor pursuant to New York State Penal Law § 210.45*

Dated: April 4<sup>th</sup>, 2018

Joel S Cordone #2377  
 INVESTIGATOR JOEL CORDONE  
 New York State Attorney General's Office

