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FILED March 15, 2004

10 Attorneys for the United States

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA)	No. CR 04-0079 SI
)	
14 v.)	INFORMATION
)	
15 CROMPTON CORPORATION,)	VIOLATION:
)	Title 15, United States Code,
16 Defendant.)	Section 1 (Price Fixing)
)	
)	San Francisco Venue

17 The United States of America, acting through its attorneys, charges:

18 I.

19 DESCRIPTION OF THE OFFENSE

- 20 1. CROMPTON CORPORATION is made a defendant on the charge stated below.
- 21 2. Beginning in or about July 1995 and continuing until in or about December 2001,
22 defendant and co-conspirators participated in a combination and conspiracy to suppress and
23 eliminate competition by maintaining and increasing the price of certain rubber chemicals sold in
24 the United States and elsewhere. The combination and conspiracy engaged in by the defendant
25 and co-conspirators was in unreasonable restraint of interstate and foreign trade and commerce
26 in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).
- 27 3. The charged combination and conspiracy consisted of a continuing agreement,
28 understanding, and concert of action among the defendant and co-conspirators, the substantial
term of which was to suppress and eliminate competition by maintaining and increasing the price

1 of certain rubber chemicals in the United States and elsewhere.

2 4. For the purpose of forming and carrying out the charged combination and
3 conspiracy, the defendant and co-conspirators did those things that they combined and conspired
4 to do, including, among other things:

- 5 (a) participating in conversations and meetings to discuss prices of certain rubber
6 chemicals to be sold in the United States and elsewhere;
- 7 (b) agreeing, during those conversations and meetings, to raise and maintain prices of
8 certain rubber chemicals to be sold in the United States and elsewhere;
- 9 (c) participating in conversations and attending meetings concerning implementation
10 of and adherence to the agreements reached;
- 11 (d) issuing price announcements and price quotations in accordance with the
12 agreements reached; and
- 13 (e) exchanging information on the sale of certain rubber chemicals in the United
14 States and elsewhere.

15 II.

16 DEFENDANT AND CO-CONSPIRATORS

17 5. The defendant is an entity organized and existing under the laws of Delaware,
18 with its principal place of business in Middlebury, Connecticut. During the period covered by
19 this Information, the defendant or its subsidiaries engaged in the business of producing and
20 selling certain rubber chemicals in the United States and elsewhere.

21 6. Various corporations and individuals, not made defendants in this Information,
22 participated as co-conspirators in the offense charged herein and performed acts and made
23 statements in furtherance of it.

24 7. Whenever in this Information reference is made to any act, deed, or transaction of
25 any corporation, the allegation means that the corporation engaged in the act, deed, or
26 transaction by or through its officers, directors, employees, agents, or other representatives while
27 they were actively engaged in the management, direction, control, or transaction of its business
28 or affairs.

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III.

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TRADE AND COMMERCE

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8. Rubber chemicals are a group of additives used to improve the elasticity, strength, and durability of rubber products. Rubber chemicals are used primarily in the manufacture of tires, outdoor furniture, hoses, belts, and footwear.

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9. During the period covered by this Information, the defendant and co-conspirators manufactured, sold, and distributed rubber chemicals in a continuous and uninterrupted flow of interstate and foreign trade and commerce to customers located in states or countries other than the states or countries in which the defendant and co-conspirators produced rubber chemicals.

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10. The business activities of the defendant and co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate trade and commerce.

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IV.

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JURISDICTION AND VENUE

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11. The combination and conspiracy charged in this Information was carried out, in part, in the Northern District of California within the five years preceding the filing of this Information.

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1 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

2 Dated: 3/15/04

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5 _____/s/_____
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Assistant Attorney General

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Phillip H. Warren
Chief, San Francisco Office

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8 _____/s/_____
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