1	MICHAEL L. SCOTT (CSBN 165452) LIDIA SPIROFF (CSBN 222253)	Original Filed Jan. 19, 2005	
2	E. KATE PATCHEN (NYRegN 4104634) Antitrust Division		
3	U.S. Department of Justice 450 Golden Gate Avenue Box 36046, Room 10-0101		
5	San Francisco, CA 94102 Telephone: (415) 436-6660		
6	Attorneys for the United States		
7	UNITED STATES DISTRICT COURT		
8	NORTHERN DISTRICT OF CALIFORNIA		
9	SAN FRANCISCO DIVISION		
10	UNITED STATES OF AMERICA	No. CR 05 0036 VRW	
11	V.)) INFORMATION	
12	DUPONT DOW ELASTOMERS L.L.C.,	VIOLATION:	
13	Defendant.	Title 15, United States Code, Section 1 (Price Fixing)	
14	-	San Francisco Venue	
15			
16	The United States of America, acting through its attorneys, charges:		
17	I.		
18	DESCRIPTION OF THE OFFENSE		
19	1. DUPONT DOW ELASTOMERS L.L.C. is made a defendant on the charge stated		
20	below.		
21	2. Beginning in or about August 1999 and continuing until in or about April 2002,		
22	defendant and co-conspirators participated in a combination and conspiracy to suppress and		
23	eliminate competition by fixing the price of polychloroprene rubber sold in the United States and		
24	elsewhere. The combination and conspiracy engaged in by the defendant and co-conspirators		
25	was in unreasonable restraint of interstate and foreign trade and commerce in violation of		
26	Section 1 of the Sherman Act (15 U.S.C. § 1).		
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participated as co-conspirators in the offense charged herein and performed acts and made

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statements in furtherance of it.

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1	7. Whenever in this Information reference is made to any act, deed, or transaction of		
2	any corporation, the allegation means that the corporation engaged in the act, deed, or		
3	transaction by or through its officers, directors, employees, agents, or other representatives while		
4	they were actively engaged in the management, direction, control, or transaction of its business		
5	or affairs.		
6	III.		
7	TRADE AND COMMERCE		
8	8. Polychloroprene rubber, also known as "chloroprene rubber," "polychloroprene,"		
9	"PCP," or "neoprene," is a specific type of synthetic rubber which has end-use applications in		
10	the automotive, adhesives, and construction industries.		
11	9. During the period covered by this Information, the defendant and co-conspirators		
12	manufactured, sold, and distributed polychloroprene rubber in a continuous and uninterrupted		
13	flow of interstate and foreign trade and commerce to customers located in states or countries		
14	other than the states or countries in which the defendant and co-conspirators produced		
15	polychloroprene rubber.		
16	10. The business activities of the defendant and co-conspirators that are the subject of		
17	this Information were within the flow of, and substantially affected, interstate trade and		
18	commerce.		
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2	IV.		
3	JURISDICTION AND VENUE		
4	11. The combination and conspiracy charged in this Information was carried out, in		
5	part, in the Northern District of California within the five years preceding the filing of this		
6	Information.		
7	ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.		
8	Dated: January 17, 2005		
9			
10	/s/	/s/	
11	R. Hewitt Pate Assistant Attorney General	/s/ Phillip H. Warren Chief, San Francisco Office	
12	Assistant Attorney General	Cilici, San Francisco Office	
13			
14	/5/	/s/	
15	/s/ Scott D. Hammond Acting Deputy Assistant Attorney General	Marc Siegel Assistant Chief, San Francisco Office	
16	United States Department of Justice	The state of the s	
17	Antitrust Division 950 Pennsylvania Avenue, N.W.		
18	Washington, D.C. 20530	/s/	
19		Michael L. Scott Lidia Spiroff	
20		E. Kate Patchen Attorneys	
21		United States Department of Justice	
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23		Box 36046, Room 10-0101 San Francisco, CA 94102	
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25	Northern District of California		
26			
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