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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

v.

No. 14-CR-20087

The Hon. George Caram-Stech

KAZUAKI FUJITANI,

Violation: 18 U.S.C. § 1512(c)(1)

Defendant.

2014 FEB 25 P 12:43

U.S. DIST. COURT
EAST. DIST. MICHIGAN
DETROIT

SUPERSEDING INFORMATION

**DESTRUCTION AND CONCEALMENT OF RECORDS AND DOCUMENTS
(18 U.S.C. § 1512(c)(1))**

THE UNITED STATES, ACTING THROUGH ITS ATTORNEYS, CHARGES:

Defendant

1. During the period covered by this Superseding Information, Kazuaki Fujitani (“Defendant”) was employed by Denso Corporation (“Denso”), a corporation organized and existing under the laws of Japan, with its principal place of business in Kariya, Japan. During the period covered by this Superseding Information, Defendant was employed by Denso as General Manager of the Toyota Sales Division. Defendant served as a Director of Denso from in or about June 2010 until his retirement in or about November 2013.

Background of the Offense

2. During the period covered by this Superseding Information, Defendant was responsible in his capacity as General Manager of the Toyota Sales Division for overseeing the sale of Denso automotive products to Toyota. Included among these products was the Heater Control Panel for Toyota’s Avalon model, which was assembled in the United States.

3. On or about February 24, 2010 (Japan Standard Time), Defendant learned that the

FBI was executing a search warrant at the offices of Denso International America, Inc., located in the Eastern District of Michigan in Southfield, Michigan, in connection with a grand jury investigation into potential violations of U.S. antitrust laws in the automotive parts industry (“an official proceeding”).

Destruction of Documents

4. Upon learning of the execution of the search warrant and the government’s antitrust investigation, over a period of days from on or about February 24, 2010 through in or about March 2010, the exact dates being unknown to the United States, Defendant corruptly destroyed and concealed a record and document, that is, by deleting numerous emails and electronic files from the period August 1, 2009 to January 4, 2010, with the intent to impair the objects’ integrity and availability for use in an official proceeding.

5. The records and documents included e-mails and electronic files which contained communications between Denso and one or more of its competitors regarding Requests for Quotation made by Toyota for the Heater Control Panel for the Toyota Avalon.

Jurisdiction and Venue

6. The official proceeding which is the subject of this Superseding Information was held in the Eastern District of Michigan within the five years preceding the filing of this Superseding Information.

ALL IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 1512(c)(1).

Dated: February 21, 2014

/s/ Brent Snyder

Brent Snyder
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United States Department of Justice

/s/ Marvin N. Price

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