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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

WHA

Attorneys for the United States

UNITED STATES DISTRICT COURT  
**CR 12 0121**  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

No. CR

v.

**INFORMATION**

SHIU-MIN HSU,

**VIOLATION:**  
Title 15, United States Code,  
Section 1 (Price Fixing)

Defendant.

San Francisco Venue

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

I.

DESCRIPTION OF THE OFFENSE

1. SHIU-MIN HSU ("defendant") is made a defendant on the charge stated below:

2. From about April 2000 until about September 3, 2008, the defendant and coconspirators entered into and engaged in a combination and conspiracy to suppress and eliminate competition by fixing the prices of aftermarket auto lights in the United States and elsewhere. The combination and conspiracy engaged in by the defendant and other coconspirators was in unreasonable restraint of interstate and foreign trade and commerce in

1 violation of Section 1 of the Sherman Act (15 U.S.C. § 1). The defendant knowingly joined  
2 and participated in the charged conspiracy from as early as April 2000 until about September  
3 3, 2008.

4 3. The charged combination and conspiracy consisted of a continuing agreement,  
5 understanding, and concert of action among the defendant and other coconspirators, the  
6 substantial terms of which were to agree to fix the prices of aftermarket auto lights in the  
7 United States and elsewhere.

8 4. For the purpose of forming and carrying out the charged combination and  
9 conspiracy, the defendant and other coconspirators did those things that they combined and  
10 conspired to do, including, among other things:

- 11 (a) participated in meetings, conversations, and communications among  
12 competitors in Taiwan and the United States to discuss the price  
13 structure for aftermarket auto lights;
- 14 (b) agreed, during those meetings, conversations, and communications, to  
15 set prices for aftermarket auto lights in accordance with pricing  
16 formulas jointly determined among competitors;
- 17 (c) issued list price announcements to customers in accordance with the  
18 jointly determined price structure;
- 19 (d) collected and exchanged information on prices of aftermarket auto  
20 lights for the purpose of monitoring and enforcing adherence to the  
21 jointly determined price structure;
- 22 (e) authorized, ordered, and consented to the participation of subordinate  
23 employees in the conspiracy; and
- 24 (f) took steps to conceal the conspiracy and conspiratorial contacts,  
25 conversations, and communications through various means.

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## II.

DEFENDANTS AND COCONSPIRATORS

5. During the time period covered by this Information, defendant SHIU-MIN HSU was Chairman of Depo Auto Parts Industrial Co., Ltd. ("Depo"), an entity organized and existing under the laws of Taiwan. During the time period covered by this Information, Depo was a manufacturer of aftermarket auto lights sold in the United States and elsewhere.

6. Various corporations and individuals, not made defendants in this Information, participated as coconspirators in the offense charged in this Information and performed acts and made statements in furtherance of it.

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

## III.

TRADE AND COMMERCE

8. Aftermarket auto lights are lighting components incorporated into an automobile after its original sale, usually as repairs following a collision, but also as accessories and upgrades. Lighting components include items such as headlights, taillights, fog lights, turn signals, brake signals, and reflectors.

9. During the period covered by this Information, Depo and coconspirators sold and distributed aftermarket auto lights 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 Depo and coconspirators produced aftermarket auto lights.

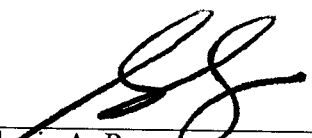
10. During the period covered by this Information, the business activities of the defendant and coconspirators that are the subject of this Information were within the flow of, and substantially affected, interstate and foreign trade and commerce.

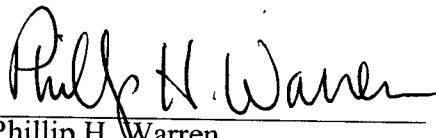
IV.

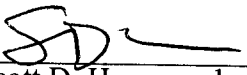
JURISDICTION AND VENUE

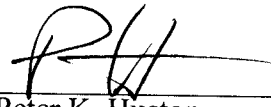
11. The combination and conspiracy charged in this Information was carried out, in part, in the Northern District of California, within the five years preceding the filing of this Information.

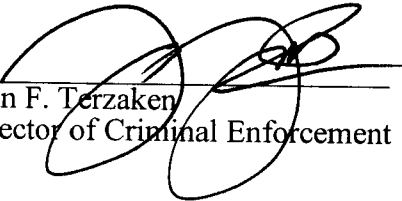
ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

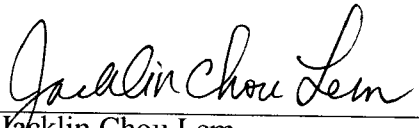
  
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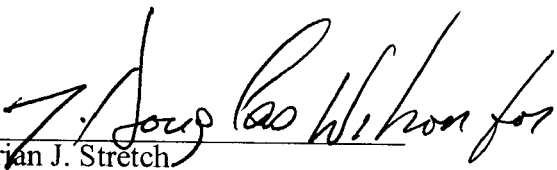
  
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Acting Under Authority Conferred by 28 U.S.C. § 515  
Northern District of California