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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9 CR-02 - 0234 **SI**
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11 UNITED STATES OF AMERICA,)

No. CR 02 -

12 v.)

INFORMATION

13 JACQUES JOURDAN,)

14 VIOLATION:
Title 15, United States Code,
Section 1 (Market-Share
Allocation)

15 Defendant.)

San Francisco Venue

16
17 The United States of America, acting through its attorneys, charges:

18 I.

19 DESCRIPTION OF THE OFFENSE

20 1. JACQUES JOURDAN ("JOURDAN") is made a defendant on the
21 charge stated below.

22 2. Beginning in or about January 1997 and continuing until in or about
23 August 1999, defendant JOURDAN and coconspirators entered into and engaged in
24 a combination and conspiracy to suppress and eliminate competition by allocating
25 the market shares of monochloroacetic acid and sodium monochloroacetate
26

1 (collectively referred to as "MCAA") to be sold in the United States and elsewhere.
2 The combination and conspiracy engaged in by the defendant and coconspirators
3 was in unreasonable restraint of interstate and foreign trade and commerce in
4 violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

5 3. The charged combination and conspiracy consisted of a continuing
6 agreement, understanding, and concert of action among the defendant and
7 coconspirators, the substantial term of which was to agree to allocate among major
8 MCAA producers the market shares of MCAA to be sold by each in the United
9 States and elsewhere.

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

- 13 (a) participating in meetings and conversations to discuss market
14 shares of MCAA to be sold in the United States and elsewhere;
- 15 (b) agreeing, during those meetings and conversations, to allocate
16 among major producers of MCAA the market shares of MCAA to
17 be sold in the United States and elsewhere; and
- 18 (c) exchanging information on sales of MCAA in the United States
19 and elsewhere for the purpose of monitoring and enforcing
20 adherence to the agreed-upon market shares.

21 II.

22 DEFENDANT AND COCONSPIRATORS

23 5. During the period covered by this Information, defendant JOURDAN
24 was a Department Head of the Chlorine, Vinyl, and Solvents Division of Elf
25 Atochem S.A. ("Elf"), a corporation organized and existing under the laws of France.
26 During the period covered by this Information, the defendant and Elf were engaged

1 in the business of producing MCAA and selling it to customers in the United States
2 and elsewhere.

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

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

11 III.

12 TRADE AND COMMERCE

13 8. MCAA is a reactive chemical compound that is used to form a number
14 of intermediate chemicals. Markets for MCAA and its derivatives include drilling
15 fluids, plastic stabilizers, herbicides, and pharmaceuticals.

16 9. During the period covered by this Information, the defendant and
17 coconspirators sold and distributed MCAA in a continuous and uninterrupted flow
18 of interstate and foreign trade and commerce to customers located in states or
19 countries other than the states or countries in which the defendant and
20 coconspirators produced MCAA.

21 10. The business activities of the defendant and coconspirators that are
22 the subject of this Information were within the flow of, and substantially affected,
23 interstate and foreign trade and commerce.

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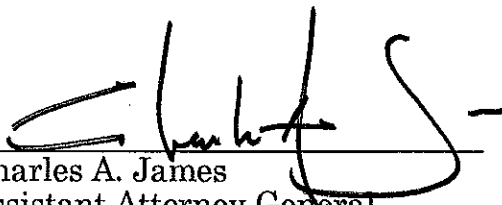
1 IV.

2 JURISDICTION

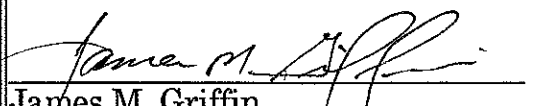
3 11. The combination and conspiracy charged in this Information was
4 carried out within the five years preceding the filing of this Information.


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

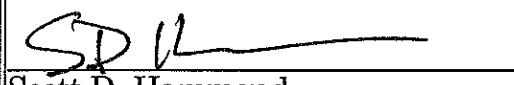
6 Dated: 8.7.02

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8 
9 Charles A. James
Assistant Attorney General


Christopher S Crook
Chief, San Francisco Office

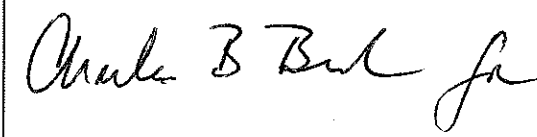
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