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NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA v. CHIENG-HON "FRANK" LIN, CHIH-CHUN "C.C." LIU, and HSUEH-LUNG "BRIAN" LEE, Defendants.	No. CR 09 0045 **INFORMATION** VIOLATION: Title 15, United States Code, Section 1 (Price Fixing) San Francisco Venue

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

I.

DESCRIPTION OF THE OFFENSE

1. CHIENG-HON "FRANK" LIN, CHIH-CHUN "C.C." LIU, and HSUEH-LUNG "BRIAN" LEE are made defendants on the charge stated below.

2. From on or about September 14, 2001 until on or about December 1, 2006, the defendants' corporate employer, Chunghwa Picture Tubes, Ltd. ("CPT"), and coconspirators entered into and engaged in a combination and conspiracy in the United States and elsewhere to suppress and eliminate competition by fixing the prices of thin-film transistor liquid crystal display panels ("TFT-LCD"). The combination and conspiracy engaged in by the defendants' corporate employer and coconspirators was an unreasonable restraint of interstate and foreign

trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1). The defendants knowingly joined and participated in the charged conspiracy at various periods of time from as early as September 14, 2001, until on or about December 1, 2006.

3. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendants, their corporate employers, and coconspirators, the substantial terms of which were to agree to fix the prices of TFT-LCD.

4. For the purpose of forming and carrying out the charged combination and conspiracy, the defendants, their corporate employers, and coconspirators did those things that they combined and conspired to do, including, among other things:

(a) participating in meetings, conversations, and communications in Taiwan, Korea, and the United States to discuss the prices of TFT-LCD;

(b) agreeing, during those meetings, conversations, and communications, to charge prices of TFT-LCD at certain predetermined levels;

(c) issuing price quotations in accordance with the agreements reached;

(d) exchanging information on sales of TFT-LCD, for the purpose of monitoring and enforcing adherence to the agreed-upon prices; and

(e) authorizing, ordering, and consenting to the participation of subordinate employees in the conspiracy.

II.

DEFENDANTS AND COCONSPIRATORS

5. During the time period covered by this Information:

(a) CPT was a corporation organized and existing under the laws of Taiwan, Republic of China, and was engaged in the business of producing and selling TFT-LCD to customers in the United States and elsewhere.

(b) CHIENG-HON "FRANK" LIN was Chairman and Chief Executive Officer for CPT.

(c) CHIH-CHUN "C.C." LIU was Vice President of LCD Sales for CPT.

(d) HSUEH-LUNG "BRIAN" LEE held various sales positions, including

Vice President of LCD Sales for CPT.

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. TFT-LCD are glass panels composed of an array of tiny pixels that are electronically manipulated in order to display images. TFT-LCD are manufactured in a broad range of sizes and specifications for use in televisions, notebook computers, desktop monitors, mobile devices, and other applications.

9. During the period covered by this Information, the defendants, their corporate employer, and coconspirators sold and distributed TFT-LCD 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 defendants, their corporate employer, and their coconspirators produced TFT-LCD.

10. The business activities of the defendants, their corporate employer, and coconspirators that are the subject of this Information were within the flow of, and substantially affected, interstate and foreign trade and commerce.

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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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