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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff

v.

PANASONIC CORPORATION,

Defendant

_____/

Case:2:10-cr-20576
Judge: Cook, Julian Abele
MJ: Randon, Mark A.
Filed: 09-30-2010 At 08:32 AM
INFO USA V. PANASONIC CORPORATION (DA)

Violation: 15 U.S.C. § 1

INFORMATION

CONSPIRACY TO RESTRAIN TRADE

(15 U.S.C. § 1)

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

1. Panasonic Corporation ("Panasonic") is hereby made a defendant on the charge stated below.

I

DESCRIPTION OF THE OFFENSE

2. Beginning at least as early as October 14, 2004, and continuing until on or about December 31, 2007, the exact dates being unknown to the United States, the defendant and co-conspirators entered into and engaged in a conspiracy to suppress and eliminate competition by fixing prices to customers of household compressors in the United States and elsewhere. For purposes of this Information with defendant, "household compressors" means solely refrigerant compressors for household use in refrigerators and freezers. The charged conspiracy

unreasonably restrained interstate trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

3. The charged conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendant and co-conspirators, the substantial terms of which were to fix prices to customers of household compressors in the United States and elsewhere.

II

MEANS AND METHODS OF THE CONSPIRACY

4. For the purposes of forming and carrying out the charged conspiracy, the defendant and co-conspirators did the following things, among others:

(a) participated in meetings and conversations to discuss household compressor customers in the United States and elsewhere;

(b) agreed, during those meetings and conversations, to coordinate prices of household compressors in the United States and elsewhere;

(c) exchanged information during those meetings and conversations, for the purpose of monitoring and enforcing adherence to the agreements to coordinate prices of household compressors in the United States and elsewhere; and

(d) coordinated prices for household compressor customers.

III

DEFENDANT AND CO-CONSPIRATORS

5. Panasonic is a corporation organized and existing under the laws of Japan and does business in multiple countries with its principal place of business in Kadoma, Osaka, Japan.

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

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

IV

TRADE AND COMMERCE

8. During the period covered by this Information, Panasonic and co-conspirators produced household compressors and sold and shipped household compressors in a continuous and uninterrupted flow of interstate and foreign commerce to customers located in the United States and elsewhere.

9. During the period covered by this Information, the business activities of Panasonic and its co-conspirators in connection with household compressors which are the subject of this Information were within the flow of, and substantially affected, interstate and foreign trade and commerce.

V

VENUE

10. The conspiracy charged in this Information was carried out, in part, within the Eastern District of Michigan, Southern Division, within the five years proceeding the filing of this Information.

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

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