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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	Criminal No.: 3:14 CR 139
v.	)	
	)	Violation: 15 U.S.C. § 1
	)	
YUSUKE SHIMASAKI	)	Filed: JUDGE ZOUHARY
	)	
Defendant.	)	

INFORMATION

The United States of America charges that: MAG. JUDGE ARMSTRONG

I.

DEFENDANT AND CO-CONSPIRATORS

1. YUSUKE SHIMASAKI is hereby made a Defendant on the charge contained in this Information.

2. During the period covered by this Information, Bridgestone Corporation ("Bridgestone") was a corporation organized and existing under the laws of Japan with its principal place of business in Tokyo, Japan, and did business in the United States through various subsidiaries, including Bridgestone APM Company ("BAPM") in Findlay, Ohio. During the period covered by this Information, Bridgestone was a supplier of automotive anti-vibration rubber products to Toyota Motor Corporation, Nissan Motor Co., Ltd., and Fuji Heavy Industries, Ltd., and certain of their subsidiaries, affiliates, and suppliers (collectively, "Automobile and Component Manufacturers"), in the United States and elsewhere.

3. During the period covered by this Information, YUSUKE SHIMASAKI was an employee of Bridgestone Corporation and BAPM whose job responsibilities at times included

ORIGINAL

the sale of automotive anti-vibration rubber products to Automobile and Component Manufacturers in the United States and elsewhere.

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

5. 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, agents, employees, or other representatives while they were actively engaged in the management, direction, control or transaction of its business or affairs.

II.

BACKGROUND

6. Automotive anti-vibration rubber products are comprised primarily of rubber and metal, and are installed in automobiles to reduce engine and road vibration. Automotive anti-vibration rubber products are installed in suspension systems and engine mounts, as well as other parts of an automobile.

7. Automotive anti-vibration rubber products are typically custom-designed to fit specific automobiles, and are developed over a year in advance of an automobile model entering the market. Before ordering automobile anti-vibration rubber products for a new automobile model, automobile manufacturers typically request pricing from suppliers, through requests for quotation ("RFQs"). In response to the RFQs, the suppliers submit price quotes, or bids, to the automobile manufacturer. When a supplier receives part orders for a particular automobile model, it typically supplies the parts for the duration of that model, which is usually four to six years.

III.

DESCRIPTION OF THE OFFENSE

8. Beginning at least as early as January 2001 and continuing until as late as December 2008, the exact dates being unknown to the United States, in the Northern District of Ohio and elsewhere, the Defendant and co-conspirators participated in a combination and conspiracy to suppress and eliminate competition in the automotive parts industry by agreeing to allocate sales of, to rig bids for, and to fix, raise, and maintain the prices of automotive anti-vibration rubber products, and to sell those products at collusive and noncompetitive prices to Automobile and Component Manufacturers in the United States and elsewhere. The combination and conspiracy engaged in by the Defendant and co-conspirators was in unreasonable restraint of interstate and foreign trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1). The statute of limitations for the charged offense was tolled from May 8, 2013 through April 30, 2014, pursuant to an agreement between the Defendant and the United States.

9. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the Defendant and co-conspirators, the substantial terms of which were suppress and eliminate competition in the automotive parts industry by agreeing to allocate sales of, to rig bids for, and to fix, raise, and maintain the prices of automotive anti-vibration rubber products, and to sell those products at collusive and noncompetitive prices to Automobile and Component Manufacturers in the United States and elsewhere.

IV.

MEANS AND METHODS OF THE CONSPIRACY

10. For the purpose of forming and carrying out the charged combination and conspiracy, the Defendant and co-conspirators did those things that they combined and conspired to do, including, among other things:

(a) participating in meetings, conversations, and other communications to discuss the bids, price quotations, and price adjustments to be submitted to Automobile and Component Manufacturers in the United States and elsewhere;

(b) agreeing, during those meetings, conversations, and communications, to allocate among the companies the supply of certain automotive anti-vibration rubber products sold in the United States and elsewhere;

(c) agreeing, during those meetings, conversations, and communications, on bids, price quotations, and price adjustments to be submitted to Automobile and Component Manufacturers in the United States and elsewhere;

(d) exchanging information on bids, price quotations, and price adjustments to be submitted to Automobile and Component Manufacturers in the United States and elsewhere, in order to effectuate the agreements;

(e) submitting bids, price quotations, and price adjustments to Automobile and Component Manufacturers in the United States and elsewhere in accordance with the agreements reached;

(f) selling automotive anti-vibration rubber products to Automobile and Component Manufacturers in the United States and elsewhere at collusive and noncompetitive prices;

(g) accepting payment for automotive anti-vibration rubber products sold to Automobile and Component Manufacturers in the United States and elsewhere at collusive and noncompetitive prices; and

(h) employing measures to keep their conduct secret, including but not limited to using code words and meeting at rented conference rooms.

V.

TRADE AND COMMERCE

11. During the period covered by this Information, Bridgestone and co-conspirators shipped substantial quantities of automotive anti-vibration rubber products in a continuous and uninterrupted flow of interstate and foreign trade and commerce to Automobile and Component Manufacturers located in the United States and elsewhere. In addition, substantial quantities of equipment and supplies necessary to produce and distribute such automotive anti-vibration rubber products, as well as substantial payments for such products, traveled in interstate and foreign trade and commerce.

12. During the period covered by this Information, the business activities of the Defendant and co-conspirators in connection with the sale of automotive anti-vibration rubber products that are the subject of this Information were within the flow of, and substantially affected, interstate and foreign trade and commerce.

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

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