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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA v. ZEON CHEMICALS L.P., Defendant.	No. CR 05 0017 SI 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. ZEON CHEMICALS L.P. is made a defendant on the charge stated below.

2. Beginning on or about May 14, 2002 and continuing until on or about December 31, 2002, defendant and co-conspirators participated in a combination and conspiracy to suppress and eliminate competition by increasing and maintaining the price of acrylonitrile-butadiene rubber ("NBR") sold 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).

3. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the defendant and co-conspirators, the substantial term of which was to suppress and eliminate competition by increasing and maintaining the price of NBR in the United States and elsewhere.

4. 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 conversations and meetings to discuss prices of NBR to be sold in the United States and elsewhere;

(b) agreeing, during those conversations and meetings, to raise and maintain prices of NBR to be sold in the United States and elsewhere; and

(c) issuing price announcements and price quotations in accordance with the agreements reached.

II.

DEFENDANT AND CO-CONSPIRATORS

5. The defendant is an entity organized and existing under the laws of the state of Delaware, with its principal place of business in Louisville, Kentucky. During the period covered by this Information, the defendant and its subsidiaries sold NBR in the United States and elsewhere.

6. Various corporations and individuals, not made defendants in this Information, participated as co-conspirators in the offense charged herein 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. NBR is used to manufacture, among other things, hoses, belting, cable, o-rings, seals, adhesives, and sealants.

9. During the period covered by this Information, the defendant and co-conspirators manufactured, sold, and distributed NBR 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 defendant and co-conspirators produced NBR.

10. The business activities of the defendant and co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate trade and commerce.

IV.

JURISDICTION

11. The combination and conspiracy charged in this Information was carried out, in

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part, in the United States within the five years preceding the filing of this Information.

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

Dated: January 12, 2005

/s/
R. Hewitt Pate
Assistant Attorney General

/s/
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/s/
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