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U.S. DISTRICT COURT
SAN FRANCISCO, CALIFORNIA

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

WHA

CR 10 0591
No. CR

14 UNITED STATES OF AMERICA)

INFORMATION

15 v.)

VIOLATION:
Title 15, United States Code,
Section 1 (Price Fixing)

16 CHEN-LUNG KUO,)

Defendant.)

San Francisco Venue

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

18 I.

19 DESCRIPTION OF THE OFFENSE

- 20 1. CHEN-LUNG KUO ("defendant") is made a defendant on the charge stated below.
21 2. From on or about September 14, 2001 to on or about December 1, 2006, Chi Mei
22 Optoelectronics Corporation ("Chi Mei"), and coconspirators entered into and engaged in a
23 combination and conspiracy to suppress and eliminate competition by fixing the prices of thin-film
24 transistor liquid crystal display panels ("TFT-LCD") sold in the United States and elsewhere. The
25 combination and conspiracy engaged in by Chi Mei and coconspirators was an unreasonable restraint
26 of interstate and foreign trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C.
27 § 1). The defendant knowingly joined and participated in the charged conspiracy from as early as
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1 April 1, 2004, to on or about December 1, 2006.

2 3. The charged combination and conspiracy consisted of a continuing agreement,
3 understanding, and concert of action among the defendant, Chi Mei, and coconspirators, the
4 substantial terms of which were to agree to fix the prices of TFT-LCD.

5 4. For the purpose of forming and carrying out the charged combination and conspiracy,
6 the defendant, Chi Mei, and coconspirators did those things that they combined and conspired to do,
7 including, among other things:

- 8 (a) participating in meetings, conversations, and communications in Taiwan,
9 Korea, and the United States to discuss the prices of TFT-LCD;
- 10 (b) agreeing, during those meetings, conversations, and communications, to
11 charge prices of TFT-LCD at certain predetermined levels;
- 12 (c) issuing price quotations in accordance with the agreements reached;
- 13 (d) exchanging information on sales of TFT-LCD, for the purpose of monitoring
14 and enforcing adherence to the agreed-upon prices; and
- 15 (e) authorizing, ordering, and consenting to the participation of subordinate
16 employees in the conspiracy.

17 II.

18 DEFENDANT AND COCONSPIRATORS

19 5 Chi Mei was a corporation organized and existing under the laws of Taiwan and was
20 engaged in the business of producing and selling TFT-LCD to customers in the United States and
21 elsewhere during the time period covered by this Information. CHEN-LUNG KUO was Associate
22 Vice President and Vice President of Sales for Chi Mei during the period covered by this Information.

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

26 7. Whenever in this Information reference is made to any act, deed, or transaction of any
27 corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or
28 through its officers, directors, employees, agents, or other representatives while they were actively

1 engaged in the management, direction, control, or transaction of its business or affairs.

2 III.

3 TRADE AND COMMERCE

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

8 9. During the period covered by this Information, the defendant, Chi Mei, and
9 coconspirators sold and distributed TFT-LCD in a continuous and uninterrupted flow of interstate and
10 foreign trade and commerce to customers located in states or countries other than the states or
11 countries in which the defendant, Chi Mei, and their coconspirators produced TFT-LCD.

12 10. The business activities of the defendant, Chi Mei, and coconspirators that are the
13 subject of this Information were within the flow of, and substantially affected, interstate and foreign
14 trade and commerce.

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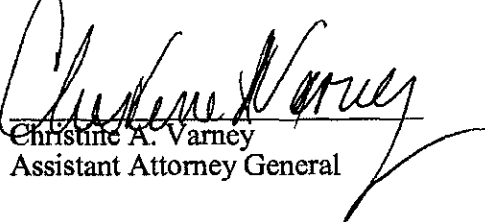
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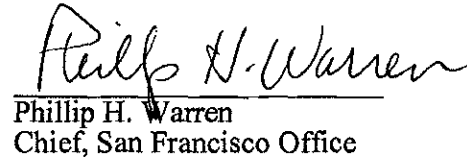
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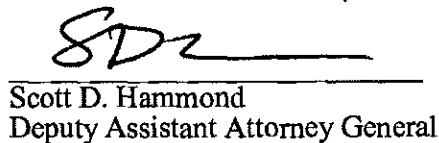
IV.


JURISDICTION AND VENUE

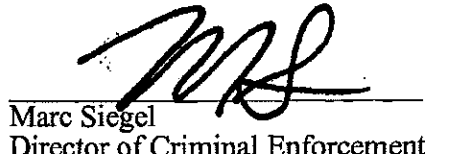
11. The combination and conspiracy charged in this Information was carried out, in part, in the Northern District of California, within the five years preceding the filing of this Information. ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.



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