

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA) Criminal No. 00-033
)
v.) Judge Marvin Katz
)
MITSUBISHI CORPORATION,) Violations: 15 U.S.C. § 1 and 18 U.S.C. § 2(a)
)
Defendant.) Filed: 05/16/00

GOVERNMENT'S VOLUNTARY BILL OF PARTICULARS

Without admitting that the defendant has any legal right to any particulars other than those set forth in the Indictment and fully reserving all rights it may have to oppose or object to any request contained in the defendant's letter of February 11, 2000, requesting a Bill of Particulars, and further reserving the right to file further and amended particulars prior to trial, the United States of America, by its attorneys, voluntarily files this bill based on present knowledge, information and belief.

1. The unindicted corporate and individual co-conspirators described in the Indictment that are presently known to the United States are listed below. The individual co-conspirators were employed by their respective co-conspirator corporations during all or part of the charged conspiracy.

(a) Nippon Carbon Co. Ltd., Tokyo, Japan

Shinichi Mori
Yutaka Okada
Yasuo Sakai
Toshiko Takami
Hirofumi Takado
Yoshitake Yamagucchi

(b) Pechiney Balzac S.A., Coarbevoie, France

Claude Calvez
Phillipe D'Argenlieu

(c) Primary Industries, Inc., Tokyo, Japan

Gen Hibi

(d) The Carbide/Graphite Group, Inc., Pittsburgh, PA

James G. Baldwin
Walter Fowler
David Higginbotham
Nicholas Kaiser
Donald Masyada
Thomas L. Parks

(e) SEC Corporation, Hyogo, Japan

Takao Okabe
Shigeki Takahara

(f) SGL Carbon AG, Wiesbaden, Germany

Rolf Ahele
Robert J. Koehler
H. Manfred Schuecker

(g) Showa Denko KK, Tokyo, Japan and its U.S. subsidiary,
Showa Denko Carbon, Inc., Ridgeville, SC

Employed only by Showa Denko KK:

Yoshiaki Furihata
Makato Murata
Hitoshi Tanaka

Employed during various periods of the conspiracy by Showa Denko KK
or Showa Denko Carbon, Inc.:

Keiji Ishi
Koh Matsushita
Koji Tanaka
Yoshi Watanabe
Kazue Yamato

Employed only by Showa Denko Carbon, Inc.:

Robert C. Whitten

(h) Tokai Carbon Co. Ltd., Tokyo, Japan

Yosiyuki Atsuji
Yoshio Hirata
Masahisa Sanmonji
Yukio Tomita
Naoshi Takahashi
Hiroshi Yamazaki

(i) UCAR Carbon Company and UCAR International, Inc., Danbury CT

Frederick G. Bailine
Thomas W. Burkett
Robert J. Hart
James Howell
Robert P. Krass
Maurice Marcellin
Raymond Pelletier
Georges Schwegler

(j) VAW Carbon GmbH, Germany

Manfred Mueller

2. The conspiracy affected all countries in the free world where the conspirators marketed graphite electrodes. Home market leaders, as described in the Indictment, included UCAR in North America; UCAR and SGL in designated countries in Western Europe; and the

Japanese co-conspirators collectively in Japan and the Far East. Market shares for the co-conspirators were discussed both on the basis of geographic regions and specific countries.

3. On or about the time that the defendant began negotiations to purchase 50% of the stock of UCAR, it formulated plans to foster the creation of a price-fixing conspiracy among certain of the world's producers of graphite electrodes. On February 25, 1991, defendant, in fact, did acquire 50% ownership interest in UCAR. Both prior to and subsequent to that date, defendant counseled, induced and encouraged UCAR and other industry participants to coordinate their prices. By March 1992, UCAR and competitors began to conspire to fix prices. Thereafter, and until at least June 1997, the defendant made statements and took actions, including those set forth in the Indictment, to aid and abet such a conspiracy. Those officers, employees, and agents of the defendant, presently known to the Government, who participated in such scheme are:

(a) Corporations

M.C. Carbon Co., Ltd., Tokyo, Japan
Mitsubishi International Corporation, New York, NY
Carbonex Corporation, Stamford, CT

(b) Individuals

Ichiro Fukushima
Tetsuro Imai
Tadashi Komatsu
Seiji Kato
Hiroshi Kawamura
Yorizo Kimura
Kenichi Koyanagi
Y. Nakane
Masao Nakayama
Shiro Shinozaki
Eisuke Shiozaki
Ikusaburo Wakae
Yutaka Yamamoto

4. The combination and conspiracy charged in the Indictment was carried out, in part, within the Eastern District of Pennsylvania within the five years preceding the filing of the Indictment through statements made and acts performed pursuant to the conspiracy, by certain conspirators, including sales of graphite electrodes to steel companies located within this District.

Dated:

Respectfully submitted,

ROBERT E. CONNOLLY
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CERTIFICATE OF SERVICE

This is to certify that on the 16th day of May 2000, a copy of the Government's Voluntary Bill of Particulars, has been mailed to counsel of record for the defendant as follows:

Theodore V. Wells, Jr., Esquire
Paul Weiss Rifkind Wharton & Garrison
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New York, NY 10019-6064

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