

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: 01/16/01

JOINT MOTION OF THE PARTIES FOR AN
INSTRUCTION CONCERNING INTERPRETERS

The United States of America and the defendant, Mitsubishi Corporation, by and through their attorneys, respectfully request this Court to give the jury an instruction about the role of the witness interpreter and their own qualified interpreters (“checkers”) at the outset of the trial. The form of the instruction requested by the parties is attached. The government and the defendant have each arranged for their own qualified interpreters (“checkers”) to assist in checking the accuracy of the witness interpreter’s translations. The parties contemplate that either party may object to an interpretation given by the witness interpreter. In the event of such an objection, the parties believe that the witness interpreter should be permitted to confer with the checkers at the time of the objection to determine whether they can agree upon the correct interpretation. If the witness interpreter and the checkers cannot agree upon a correct interpretation, then each of the proposed interpretations (the witness interpreter’s and the checkers’) should be presented to the jury, and the proper interpretation should be an issue of fact for the jury. In that event, the witness interpreter’s interpretation should be afforded no special status. This procedure was

followed in the *Nippon Paper* antitrust case. *See United States v. Nippon Paper Indus. Co.*, 62 F. Supp. 2d 173, 182-83. (D. Mass. 1999).

Dated:

Respectfully submitted,

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REQUESTED INSTRUCTION
CONCERNING THE ROLE OF INTERPRETERS

During the course of the trial, a number of witnesses will give testimony, either in whole or in part, in Japanese. When those witnesses testify, a witness interpreter will be present to translate the questions posed by counsel into Japanese and the answers given by the witness into English. In addition, the Government and the defendant have each retained qualified interpreters to assist the witness interpreter in his work. If the interpreters disagree on the correct interpretation of a witness' testimony, it will be up to you to decide which interpretation is correct. In case of such a disagreement among the interpreters, you should give no special weight to the opinion of the witness interpreter; instead, you should consider, based on hearing the different interpreters, which proposed interpretation you find most credible in light of all of the evidence in the case.