

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

FILED

2014 FEB 13 AM 9:13

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

UNITED STATES OF AMERICA)

v.)

BRIDGESTONE CORPORATION)

Defendant.)

Criminal No.:

Violation: 15 U.S.C. § 1

Filed:

JUDGE HELMICK

MAG. JUDGE ARMSTRONG

INFORMATION

The United States of America charges that:

I.

DEFENDANT AND CO-CONSPIRATORS

1. BRIDGESTONE CORPORATION is hereby made a Defendant on the charge contained in this Information.
2. BRIDGESTONE CORPORATION ("Defendant") is a corporation organized and existing under the laws of Japan, with its principal place of business in Kyobashi, Tokyo, Japan, and U.S. subsidiaries in various locations, including Findlay, OH. During the period covered by this Information, Defendant was engaged in the business of manufacturing and selling automotive anti-vibration rubber products to Toyota Motor Corporation, Nissan Motor Corporation, Fuji Heavy Industries, Ltd., Suzuki Motor Corporation, Isuzu Motors, Ltd., and certain of their subsidiaries, affiliates and suppliers (collectively, "Automobile and Component Manufacturers") in the United States and elsewhere.
3. Other 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.

ORIGINAL

4. 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

5. During the period covered by this Information, the Defendant and its co-conspirators supplied automotive anti-vibration rubber products to Automobile and Component Manufacturers for installation in vehicles manufactured and sold in the United States and elsewhere. During the period covered by this Information, the Defendant and its co-conspirators manufactured automotive anti-vibration rubber products: (a) in the United States for installation in vehicles manufactured and sold in the United States; (b) in the United States for installation in vehicles manufactured in Canada for export to and sale in the United States; and (c) in Japan for installation in vehicles manufactured in Japan for export to and sale in the United States.

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

7. Beginning at least as early as January 2001 and continuing until at least December 2008, the exact dates being unknown to the United States, in the Northern District of Ohio and elsewhere, the Defendant and its co-conspirators entered into and engaged in a combination and conspiracy to suppress and eliminate competition by agreeing to allocate sales of, to rig bids for, and to fix, raise, and maintain the prices of automotive anti-vibration rubber products sold to Automobile and Component Manufacturers in the United States and elsewhere. The combination and conspiracy engaged in by the Defendant and its 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 7, 2013 to March 31, 2014, pursuant to an agreement between the Defendant and the United States.

8. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the Defendant and its co-conspirators, the substantial terms of which were to allocate sales of, to rig bids for, and to fix, raise, and maintain the prices of, automotive anti-vibration rubber products sold in the United States and elsewhere.

IV.

MEANS AND METHODS OF THE CONSPIRACY

9. For the purpose of forming and carrying out the charged combination and

conspiracy, the Defendant and its 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 certain sales of certain automotive anti-vibration rubber products sold to Automobile and Component Manufacturers 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;
- (f) selling automotive anti-vibration rubber products to Automobile and Component Manufacturers in the United States and elsewhere at collusive and noncompetitive prices; and

- (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.

V.

TRADE AND COMMERCE

10. During the period covered by this Information, the Defendant and its co-conspirators sold to Automobile and Component Manufacturers in the United States and elsewhere substantial quantities of automotive anti-vibration rubber products in a continuous and uninterrupted flow of interstate and foreign trade and commerce. 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 parts, traveled in interstate and foreign trade and commerce.

11. During the period covered by this Information, the business activities of the Defendant and its co-conspirators in connection with the production and 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.

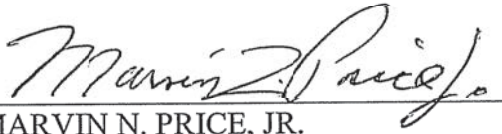
ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.



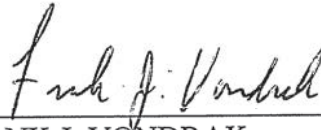
RENATA B. HESSE
Acting Assistant Attorney General



BRENT SNYDER
Deputy Assistant Attorney General



MARVIN N. PRICE, JR.
Director of Criminal Enforcement
Antitrust Division
U.S. Department of Justice



FRANK J. VONDRAK
Chief, Chicago Office



ANDRE M. GEVEROLA, IL Bar No. 6281457
L. HEIDI MANSCHRECK, NY Bar No. 4537585
ROBERT M. JACOBS, IL Bar No. 6289819
CHRISTINE M. O'NEILL, IL Bar No. 6300456
Trial Attorneys
U.S. Department of Justice
Antitrust Division
Chicago Office
209 S. LaSalle St., Suite 600
Chicago, IL 60604
Tel.: (312) 353-7530