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Attorneys for the United States

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA) **UNITED STATES' MOTION TO**
) **UNSEAL MATTER**
)
 v.)
)
) No. 15-CR-0163-JD
 TAKURO ISAWA,) Filed March 12, 2015
)
 Defendant.)
)
)
)
)
)

On March 12, 2015, a grand jury in the Northern District of California returned an indictment charging TAKURO ISAWA with price fixing in violation of 15 U.S.C. § 1. The Isawa indictment was filed under seal because, at that time, its disclosure could have hindered the apprehension of the defendant. The United States now has reason to believe the defendant has become aware that he is a subject of the investigation, and therefore, unsealing this matter will no longer compromise law enforcement interests in his apprehension.

U.S.' MOTION TO UNSEAL MATTER
 Case No. 15-CR-0163-JD

FILED

JAN 13 2016

SUSAN Y. SOONG
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

CR
 JD

1 The United States respectfully requests that the Court unseal the above-captioned matter,
2 with the exception of the United States' Notice of Related Case. The notice of related case refers
3 to an unindicted coconspirator of the defendant, and therefore, that portion of the notice of
4 related case should remain sealed. A redacted copy for public filing of the United States' Notice
5 of Related Case is attached to this motion as Exhibit A.

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8 Dated: January 13, 2016

Respectfully submitted,

9
10 /s/ Andrew J. Nicholson-Meade
11 ANDREW J. NICHOLSON-MEADE
12 Trial Attorney
13 U.S. Department of Justice
14 Antitrust Division
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Exhibit A

JACKLIN CHOU LEM (CSBN 255293)
ALEXANDRA J. SHEPARD (CSBN 205143)
HOWARD J. PARKER (WSBN 07233)
HENRY J. HAUSER (CSBN 286744)
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Attorneys for the United States

RECEIVED

MAR 30 2015

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CAPACITORS
ANTITRUST LITIGATION

**UNITED STATES' NOTICE OF
RELATED CASE**

**FILED EX PARTE AND
UNDER SEAL**

No. 3:14-CV-03264-JD
Filed July 18, 2014

UNITED STATES OF AMERICA

v.

TAKURO ISAWA,

Defendant.

No. 15-CR-0163-WHO
Filed March 12, 2015

COPY

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

IN RE: CAPACITORS
 ANTITRUST LITIGATION

**UNITED STATES' NOTICE OF
 RELATED CASE**

**FILED EX PARTE AND
 UNDER SEAL**

No. 3:14-CV-03264-JD
 Filed July 18, 2014

UNITED STATES OF AMERICA

v.

TAKURO ISAWA,

Defendant.

No. 15-CR-0163-WHO
 Filed March 12, 2015

1 The United States files, under Crim. L.R. 8-1, this Notice of Related Case for *In re:*
2 *Capacitors Antitrust Litigation*, No. 14-CV-03264-JD, and *United States v. Takuro Isawa*, No.
3 15-CR-0163-WHO. These civil and criminal antitrust cases concern the same anticompetitive
4 electrolytic capacitors conspiracy.

5 In *In re: Capacitors Antitrust Litigation*, civil plaintiffs allege, in part, that various
6 manufacturers of electrolytic capacitors engaged in anticompetitive conduct in violation of 15
7 U.S.C. § 1. In *United States v. Takuro Isawa*, Isawa is charged with violating 15 U.S.C. § 1, due
8 to his participation in a conspiracy to fix prices, rig bids, and limit production of electrolytic
9 capacitors. The indictment alleges that Isawa was employed by Company A, a manufacturer of
10 electrolytic capacitors. Company A, [REDACTED], is one of the named defendants
11 in the civil litigation.

12 The criminal *Isawa* case was assigned to the Honorable William H. Orrick. Because the
13 *Isawa* case concerns the same alleged events, occurrences, or transactions as the *In re:*
14 *Capacitors* civil case, the United States respectfully requests that the two cases be related under
15 Crim. L.R. 8-1(b)(1). If the *Isawa* case is not related to the civil matter, and to other similar
16 criminal matters that may arise, significant duplication of labor would occur because different
17 judges would be hearing the same evidence. Conflicts could arise through inconsistent rulings
18 on common evidentiary and legal matters, sentencing determinations, pretrial release conditions,
19 and other issues. Therefore, Crim. L.R. 8-1(b)(2) also supports relating these cases.

20 The United States requests that this Notice of Related Case be filed *ex parte* and under
21 seal because the *U.S. v. Isawa* indictment has been filed under seal. See Crim. L.R. 47-3
22 (governing *ex parte* motions in criminal cases) and Crim. L.R. 56-1(b) (governing sealed
23 documents in criminal cases); see also Civ. L.R. 7-10 (governing *ex parte* motions in civil cases)
24 and Civ. L.R. 79-5 (governing sealed documents in civil cases). Together with this Notice, the
25 United States has also filed:

26 //

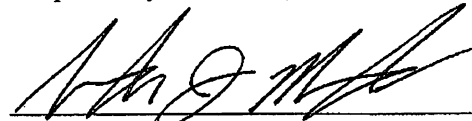
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- 1 1. United States' Motion to File *Ex Parte* and Under Seal Notice of Related Case;
- 2 2. Declaration of Andrew Nicholson-Meade in Support of Motion to File *Ex Parte* and
- 3 Under Seal Notice of Related Case; and
- 4 3. Proposed Order Granting United States' Motion to File *Ex Parte* and Under Seal
- 5 Notice of Related Case.

6
7 DATED: March 30, 2015

Respectfully submitted,

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10 ANDREW J. NICHOLSON-MEADE
11 Trial Attorney
12 Antitrust Division
13 U.S. Department of Justice
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