



Department of Justice

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**TWO FORMER JAPANESE AUTOMOTIVE PARTS MANUFACTURER
EXECUTIVES INDICTED FOR ROLES IN CONSPIRACY TO FIX PRICES AND FOR
OBSTRUCTION OF JUSTICE**

WASHINGTON – A Detroit federal grand jury returned a two-count indictment against two former executives of a Japanese automotive parts manufacturer for their participation in a conspiracy to fix prices and rig bids of automotive parts and for obstruction of justice for ordering the destruction of evidence related to the conspiracy, the Department of Justice announced today.

The indictment, filed today in the U.S. District Court for the Eastern District of Michigan, charges Hiroyuki Komiya and Hirofumi Nakayama, former executives of Mitsuba Corporation, with conspiring to fix the prices of various automotive parts, including windshield wiper systems and components, sold to Honda Motor Company Ltd., Nissan Motor Co. Ltd., Toyota Motor Corp., Chrysler Group, LLC, Fuji Heavy Industries Ltd. – more commonly known by its brand name, Subaru – and certain of their subsidiaries in the United States and elsewhere.

Komiya and Nakayama are also charged with knowingly and corruptly persuading, and attempting to persuade, employees of Mitsuba to destroy documents and delete electronic data that may contain evidence of antitrust crimes in the United States and elsewhere.

“These charges demonstrate the Antitrust Division’s continued commitment to prosecuting individuals who commit criminal antitrust violations,” said Brent Snyder, Deputy Assistant Attorney General for the Antitrust Division’s Criminal Enforcement Program. “Because these same individuals committed the additional crime of obstructing the investigation, they also serve as cautionary tale for those who are tempted to try to thwart the Antitrust Division’s investigative activities by destroying evidence.”

Komiya participated in the conspiracy as Mitsuba Director of Automotive Sales. In 2007, he was promoted to Executive Managing Officer and Vice President of Sales. Nakayama was the Office Manager of Mitsuba’s Nagoya sales office. In 2005, he was promoted to Sales Operating Officer.

The indictment alleges, among other things, that beginning at least as early as April 2000 and continuing until at least February 2010, Komiya, Nakayama and co-conspirators participated in and directed, authorized or consented to the participation of subordinate employees in, meetings with co-conspirators and reached collusive agreements to rig bids, allocate the supply and fix the price to be submitted to automobile manufacturers. Upon learning of the existence of

this investigation, Komiya and Nakayama also urged their subordinates to delete and destroy documents related to this collusion.

Mitsuba is a corporation organized and existing under the laws of Japan with its principal place of business in Gunma, Japan. On Nov. 6, 2013, Mitsuba pleaded guilty and agreed to pay a \$135 million criminal fine for its role in the conspiracy as well as obstruction of justice.

Including Komiya and Nakayama, 52 individuals have been charged in the government's ongoing investigation into market allocation, price fixing, and bid rigging in the auto parts industry. Additionally, 33 companies have pleaded guilty or agreed to plead guilty and have agreed to pay a total of more than \$2.4 billion in fines.

Komiya and Nakayama are charged with price fixing and bid rigging in violation of the Sherman Act, which carries a maximum penalty of 10 years in prison and a \$1 million criminal fine for individuals. The maximum fine for an individual may be increased to twice the gain derived from the crime or twice the loss suffered by the victims of the crime, if either of those amounts is greater than the statutory maximum fine. The maximum penalty for obstruction of justice is 20 years in prison and a \$250,000 criminal fine for individuals.

Today's indictment is the result of an ongoing federal antitrust investigation into price fixing, bid rigging and other anticompetitive conduct in the automotive parts industry, which is being conducted by the Antitrust Division's criminal enforcement sections and the FBI. Today's charge was brought by the Antitrust Division's Washington Criminal I Section and the FBI's Detroit Field Office, with the assistance of the FBI headquarters' International Corruption Unit. Anyone with information on price fixing, bid rigging and other anticompetitive conduct related to other products in the automotive parts industry should contact the Antitrust Division's Citizen Complaint Center at 888-647-3258, visit www.justice.gov/atr/contact/newcase.html or call the FBI's Detroit Field Office at 313-965-2323.

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