

FILED IN OPEN COURT  
U.S.D.C. Atlanta

NOV 2 2014

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

JAMES N. HATTEN, Clerk  
By: *[Signature]* Deputy Clerk

UNITED STATES OF AMERICA	)	
	)	
v.	)	<b>Criminal No. 3:14-CR-19</b>
	)	
CONTINENTAL AUTOMOTIVE	)	<b>INFORMATION</b>
ELECTRONICS LLC and	)	
CONTINENTAL AUTOMOTIVE	)	<b>Violation: 15 U.S.C. § 1</b>
KOREA LTD.,	)	
	)	
Defendants.	)	

**INFORMATION**

The United States of America charges that:

**DEFENDANTS AND CO-CONSPIRATORS**

1. CONTINENTAL AUTOMOTIVE ELECTRONICS LLC and CONTINENTAL AUTOMOTIVE KOREA LTD. (collectively, "Defendants") are hereby made Defendants on the charge contained in this Information.

2. Defendant Continental Automotive Electronics LLC is a corporation organized and existing under the laws of the Republic of Korea with its principal place of business in Cheongwon, South Korea. Defendant Continental Automotive Korea Ltd. is a corporation organized and existing under the laws of the Republic of Korea with its principal place of business in

Seongnam-si, South Korea. During the period covered by this Information, Defendants were engaged in the development, production, supply, and sale of instrument panel clusters for use in vehicles manufactured by Hyundai Motor Company, Kia Motors Corporation, and Kia Motors Manufacturing Georgia (individually each a "vehicle manufacturer" and collectively, "vehicle manufacturers") in South Korea, the United States, and elsewhere.

3. Another entity and individuals not made defendants in this Information participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance of it.

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.

#### BACKGROUND

5. An instrument panel cluster is a set of instruments located on the dashboard of a vehicle that contains gauges such as a speedometer, tachometer, odometer, and fuel gauge, as well as warning indicators for gearshift position, seat belt, parking-brake engagement, engine malfunction, low fuel, low oil pressure, and low tire pressure.

6. During the period covered by this Information, Defendants and their co-conspirators organized the sale of and supplied instrument panel clusters to vehicle manufacturers for installation in vehicles manufactured and sold in the United States and elsewhere. Before ordering instrument panel clusters, vehicle manufacturers typically request pricing from suppliers like Defendants and their co-conspirators through requests for quotation. In response to requests for quotation, these suppliers submit price quotes, or bids, to vehicle manufacturers. When suppliers like Defendants and their co-conspirators receive orders to supply instrument panel clusters for a particular vehicle model, they typically supply instrument panel clusters for the production life of that vehicle model, which is usually four to six years.

#### THE COMBINATION AND CONSPIRACY

7. Beginning at least as early as March 2004 and continuing until May 2012, the exact dates being unknown to the United States, Defendants and their co-conspirators entered into and engaged in a combination and conspiracy to suppress and restrain competition by: (a) agreeing to allocate and rig bids for the sale of instrument panel clusters to vehicle manufacturers, including a bid that affected the price of instrument panel clusters sold to a vehicle manufacturer in the Northern District of Georgia; (b) allocating and rigging such bids; and (c) submitting rigged and non-

competitive bids and prices for the sale of instrument panel clusters installed in vehicles produced by vehicle manufacturers and sold in the United States and elsewhere, including in the Northern District of Georgia. The combination and conspiracy engaged in by Defendants and their co-conspirators was in unreasonable restraint of interstate and foreign trade and commerce, including United States import commerce, in violation of the Sherman Act (15 U.S.C. §1).

8. The charged combination and conspiracy consisted of agreements, understandings, and concert of action among Defendants and their co-conspirators, the substantial terms of which were to rig bids for, and to fix, raise, and maintain the prices of, instrument panel clusters sold to vehicle manufacturers in the United States and elsewhere.

#### MEANS AND METHODS OF THE CONSPIRACY

9. For the purpose of forming and carrying out the charged combination and conspiracy, Defendants and their 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 coordinate bids for instrument panel clusters supplied to

vehicle manufacturers for model vehicles sold in the United States and elsewhere;

(b) entering into agreements during those meetings, conversations, and communications to allocate sales of instrument panel clusters supplied to vehicle manufacturers for model vehicles sold in the United States and elsewhere;

(c) exchanging information on bids, price quotations, and price adjustments for submission to vehicle manufacturers in the United States and elsewhere, in order to effectuate the agreed-upon allocations;

(d) coordinating and submitting bids that were the product of collusion for instrument panel clusters supplied to vehicle manufacturers for model vehicles sold in the United States and elsewhere in accordance with the agreed-upon allocations;

(f) supplying instrument panel clusters to vehicle manufacturers for model vehicles sold in the United States and elsewhere at collusive and noncompetitive prices; and

(g) accepting payment for instrument panel clusters supplied to vehicle manufacturers for certain model vehicles sold in the United States and elsewhere at collusive and noncompetitive prices.

### **TRADE AND COMMERCE**

10. The combination and conspiracy charged in this Information involved commerce within the United States and U.S. import commerce. During the period covered by this Information, the business activities of Defendants and their co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate and foreign trade and commerce, including United States import commerce. For example, Defendants and their co-conspirators rigged bids that affected the price of instrument panel clusters that were sold to a vehicle manufacturer in the United States and installed in vehicles made and sold in the United States. Defendants and their co-conspirators also coordinated the submission of non-competitive bids for the sale of instrument panel clusters that were installed in vehicles made by vehicle manufacturers in South Korea and sold in the United States.

### **JURISDICTION AND VENUE**

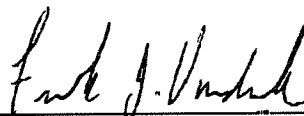
11. The combination and conspiracy charged in this Information was carried out, in part, in the Northern District of Georgia within the five years preceding the filing of this Information.

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




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BRENT SNYDER  
Deputy Assistant Attorney General  
U.S. Department of Justice  
Antitrust Division



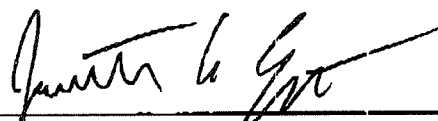

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FRANK J. VONDRAK  
Chief, Chicago Office  
U.S. Department of Justice  
Antitrust Division




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




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JONATHAN A. EPSTEIN  
(IL Bar No. 6237031)  
Trial Attorney  
U.S. Department of Justice  
Antitrust Division  
209 S. LaSalle Street, Suite 600  
Chicago, IL 60604  
Phone: (312) 984-7200  
Fax: (312) 984-7299  
E-mail: Jonathan.Epstein@usdoj.gov

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SALLY QUILLIAN YATES  
United States Attorney  
Northern District of Georgia




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JANE E. PHILLIPS  
(IA Bar No. AT0006246)  
Trial Attorney  
U.S. Department of Justice  
Antitrust Division  
209 S. LaSalle Street, Suite 600  
Chicago, IL 60604  
Phone: (312) 984-7200  
Fax: (312) 984-7299  
E-mail: Jane.Phillips@usdoj.gov

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**BRENT SNYDER**  
Deputy Assistant Attorney General  
U.S. Department of Justice  
Antitrust Division

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Antitrust Division

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Antitrust Division

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**JONATHAN A. EPSTEIN**  
(IL Bar No. 6237031)  
Trial Attorney  
U.S. Department of Justice  
Antitrust Division  
209 S. LaSalle Street, Suite 600  
Chicago, IL 60604  
Phone: (312) 984-7200  
Fax: (312) 984-7299  
E-mail: Jonathan.Epstein@usdoj.gov



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**SALLY QUILLIAN YATES**  
United States Attorney  
Northern District of Georgia

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**JANE E. PHILLIPS**  
(IA Bar No. AT0006246)  
Trial Attorney  
U.S. Department of Justice  
Antitrust Division  
209 S. LaSalle Street, Suite 600  
Chicago, IL 60604  
Phone: (312) 984-7200  
Fax: (312) 984-7299  
E-mail: Jane.Phillips@usdoj.gov