

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
NORTHERN DIVISION  
COVINGTON**

UNITED STATES OF AMERICA	)	Criminal No.:
	)	
v.	)	
	)	Violation: 15 U.S.C. § 1
INOAC CORPORATION,	)	
	)	Filed:
Defendant.	)	

**INFORMATION**

The United States of America charges that:

I.

**DEFENDANT AND CO-CONSPIRATORS**

1. INOAC CORPORATION is hereby made a Defendant on the charge contained in this Information.

2. INOAC CORPORATION (“the Defendant”) is a corporation organized and existing under the laws of Japan, with its principal place of business in Nagoya, Japan, and subsidiaries, affiliates, or joint ventures in various locations in the United States. During the period covered by this Information, the Defendant was engaged in the business of manufacturing and selling certain Plastic Interior Trim Automotive Parts (as defined in Paragraph 6 below) to Toyota Motor Corporation and certain of its subsidiaries and affiliates (collectively, “Toyota”) 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.

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 certain Plastic Interior Trim Automotive Parts to Toyota 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 certain Plastic Interior Trim Automotive Parts: (a) in the United States for installation in vehicles manufactured and sold in the United States; (b) in Canada 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. During the period covered by this Information, Toyota had a purchasing system that was located in Erlanger, KY, which was accessed by suppliers through the internet.

6. Plastic Interior Trim Automotive Parts (which do not include the main bodies of instrument panels) consist of molded trim parts made from plastics, polymers, elastomers and/or resins manufactured and/or sold for installation in automobile interiors, including, without limitation, console boxes, assist grips, registers, center cluster panels, glove boxes and glove box doors, meter cluster hoods, switch hole covers, and lower panel covers and boxes.

7. Before ordering certain Plastic Interior Trim Automotive Parts 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 those parts for the duration of that model, which is usually four to six years.

III.

DESCRIPTION OF THE OFFENSE

8. Beginning at least as early as June 2004 and continuing until at least September 2012, the exact dates being unknown to the United States, in the Eastern District of Kentucky 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, stabilize, and maintain the prices of certain Plastic Interior Trim Automotive Parts sold to Toyota in the United States and elsewhere. The combination and conspiracy engaged in by the Defendant and co-conspirators was in unreasonable restraint of interstate commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

9. 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, stabilize, and maintain the prices of certain Plastic Interior Trim Automotive Parts sold to Toyota in the United States and elsewhere.

IV.

MEANS AND METHODS OF THE CONSPIRACY

10. For the purpose of forming and carrying out the charged combination and conspiracy, the Defendant and 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 and price quotations to be submitted to Toyota in the United States and elsewhere;
- (b) agreeing, during those meetings, conversations, and communications, to allocate among the companies sales of certain Plastic Interior Trim Automotive Parts sold to Toyota in the United States and elsewhere;
- (c) agreeing, during those meetings, conversations, and communications, on bids and price quotations to be submitted to Toyota in the United States and elsewhere;
- (d) exchanging information on bids and price quotations to be submitted to Toyota in the United States and elsewhere, in order to effectuate the agreements;
- (e) submitting bids and price quotations to Toyota in the United States and elsewhere in accordance with the agreements;
- (f) selling certain Plastic Interior Trim Automotive Parts to Toyota in the United States and elsewhere at collusive and noncompetitive prices; and

- (g) accepting payment for certain Plastic Interior Trim Automotive Parts sold to Toyota in the United States and elsewhere at collusive and noncompetitive prices.

V.

TRADE AND COMMERCE

11. During the period covered by this Information, the Defendant and its co-conspirators sold to Toyota in the United States and elsewhere substantial quantities of certain Plastic Interior Trim Automotive Parts in a continuous and uninterrupted flow of interstate commerce. In addition, substantial quantities of equipment and supplies necessary to produce and distribute such Plastic Interior Trim Automotive Parts, as well as substantial payments for such parts, traveled in interstate commerce.

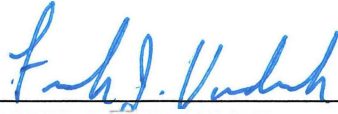
12. During the period covered by this Information, the business activities of the Defendant and its co-conspirators in connection with the production and sale of certain Plastic Interior Trim Automotive Parts that are the subject of this Information were within the flow of, and substantially affected, interstate commerce.

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



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