

FEDERAL COURT OF CANADA  
(TRIAL DIVISION)

IN THE MATTER OF section 45 of the  
*Competition Act*, R.S.C. 1985, c. C-34 (as amended)

BETWEEN

HER MAJESTY THE QUEEN

-and-

CARBONE OF AMERICA INDUSTRIES CORP.

Accused

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INDICTMENT

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**THE ACCUSED** stands charged:

THAT it did between approximately July 1993 and February 1998 conspire, combine, agree or arrange with SGL Carbon AG, Tokai Carbon Co., Ltd., Toyo Tanso Co. Ltd., Nippon Steel Chemical Co., Ltd., Ividen Co. and persons known and unknown, to prevent or lessen, unduly, competition in the purchase, barter, sale or supply of a product or products, namely non-machined and semi-machined isostatic graphite products, contrary to section 45(1)c) of the *Competition Act*, R.S.C. 1985, c. C-34 (as amended).

Dated at Hull, this 21<sup>th</sup> day of February, 2001.



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Manon Lapointe  
For the Attorney General of Canada

I hereby consent to the preferment of this Indictment pursuant to section 577 of the *Criminal Code*, R.S.C. 1985, c. C-46 (as amended).

Dated at Ottawa, this 22<sup>th</sup> day of February, 2001.



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Morris Rosenberg  
Deputy Attorney General of Canada