

IN THE FEDERAL COURT OF CANADA
TRIAL DIVISION
(AT TORONTO)

BETWEEN:

HER MAJESTY THE QUEEN

- and -

TOYO TANSO USA INC.

Accused

INDICTMENT

D.D. Graham Reynolds, Q.C.
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Court No. T-298-03

FEDERAL COURT OF CANADA
COUR FÉDÉRALE DU CANADA
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TRIAL DIVISION

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- and -

TOYO TANSO USA, INC

March 28, 2003
Laurie Gault
Registry Officer
Agent du greffe

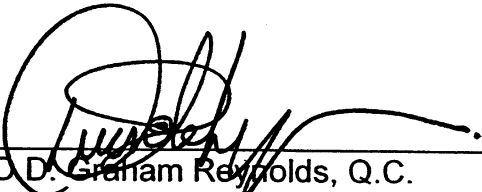
Accused

INDICTMENT

THE ACCUSED, TOYO TANSO USA, INC. stands charged:


THAT IT, being engaged in the business of producing or supplying isostatic graphite products in Canada, to wit: non-machined and semi-machined isostatic graphite, in or about December 1994, the exact date being unknown, did attempt, by agreement, to influence upward, the price at which a person engaged in business in Canada supplied or offered to supply or advertised its non-machined and semi-machined isostatic graphite products within Canada and did thereby commit an offence contrary to paragraph 61(1)(a) of the *Competition Act*, R.S. 1985, c. C-34 as amended.

Dated at Ottawa, this 27th day of March, 2003


D. D. Graham Reynolds, Q.C.
Duane E. Schippers
for the Attorney General of Canada

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

Dated at Ottawa, Ontario this 27th day of March, 2003


Morris Rosenberg
Deputy Attorney General of Canada