

IN THE FEDERAL COURT OF CANADA
TRIAL DIVISION



HER MAJESTY THE QUEEN

- and -

ROBERT P. KRASS


Accused

INDICTMENT

THE ACCUSED, Robert P. Krass, stands charged:

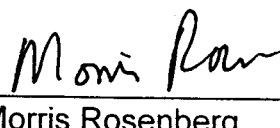
THAT HE DID, between approximately May, 1992, and June, 1997, the exact dates being unknown, in Canada and elsewhere, with SGL Carbon Aktiengesellschaft, Tokai Carbon Co. Ltd., Nippon Carbon Co. Ltd. SEC Corporation, and Mitsubishi Corporation commit an offence contrary to section 45(1)(c) of the *Competition Act*, R.S. 1985, c.C-34, as amended, in that the said SGL Carbon Aktiengesellschaft, Tokai Carbon Co. Ltd., Nippon Carbon Co. Ltd., SEC Corporation, Mitsubishi Corporation and Robert P. Krass did unlawfully conspire, combine, agree or arrange with, the one with the other or others of them, together with a person or persons known and unknown, to prevent or lessen, unduly, competition in the production, manufacture, purchase, barter, sale, storage, rental, transportation or supply of a product, namely graphite electrodes in Canada, contrary to paragraph 45(1)(c) of the *Competition Act*, R.S. 1985, c. C-34.

Dated at Ottawa, Ontario this 1st day of August, 2003

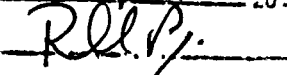

D. Q. Graham Reynolds, Q.C.
Duane E. Schippers
for the Attorney General of Canada

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 22nd day of August, 2003


Morris Rosenberg
Deputy Attorney General of Canada

I HEREBY CERTIFY that the above document is a true copy of the original issued out of / filed in the Court on the 4th day of September A.D. 20 03
Dated this 4 day of Sept. 20 03


Ron Paquin
Registry Officer
Agent du greffe

Court File No. T -

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

BETWEEN:

HER MAJESTY THE QUEEN

- and -

ROBERT P. KRASS

Accused

INDICTMENT

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