

CLOSED

**U.S. District Court  
Southern District of Ohio (Cincinnati)  
CRIMINAL DOCKET FOR CASE #: 1:15-cr-00098-MRB-1**

Case title: USA v. Kayaba Industry Co LTD

Date Filed: 09/16/2015

Date Terminated: 11/02/2015

Assigned to: Judge Michael R. Barrett

**Defendant (1)****Kayaba Industry Co LTD**

TERMINATED: 11/02/2015

doing business as

KYB Corporation

TERMINATED: 11/02/2015

represented by **Caitlin Felvus**

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**Pending Counts**

15:1 - CONSPIRACY TO RESTRAIN TRADE

(1)

**Highest Offense Level (Opening)**

Felony

**Disposition**

\$62,000,000.00 fine to be paid 15 days from the date of judgment; \$400.00 special assessment

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition****Plaintiff**

USA

represented by **Carla M Stern**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/16/2015		Judge update in case as to Kayaba Industry Co LTD. Judge Michael R. Barrett added. (km) (Entered: 09/16/2015)
09/16/2015	<a href="#">2</a>	INFORMATION as to Kayaba Industry Co LTD (1) count(s) 1. (km) (Entered: 09/16/2015)
09/16/2015	<a href="#">3</a>	UNOPPOSED MOTION to Seal Attachment "A" to the Plea Agreement by USA as to Kayaba Industry Co LTD. (km) (Entered: 09/16/2015)
09/16/2015	<a href="#">4</a>	ORDER granting <a href="#">3</a> United States' Motion to Seal Attachment "A" to the Plea Agreement as to Kayaba Industry Co LTD (1). Signed by Magistrate Judge Stephanie K. Bowman on 9/16/2015. (km) (Entered: 09/16/2015)
09/16/2015	<a href="#">5</a>	UNOPPOSED MOTION to Seal Attachment "B" to the Plea Agreement by USA as to Kayaba Industry Co LTD. (km) (Entered: 09/16/2015)
09/16/2015	<a href="#">6</a>	ORDER granting <a href="#">5</a> United States UNOPPOSED MOTION to Seal Attachment "B" to the Plea Agreement as to Kayaba Industry Co LTD (1). Signed by Magistrate Judge Stephanie K. Bowman on 9/16/2015. (km) (Entered: 09/16/2015)
09/16/2015	<a href="#">9</a>	PLEA AGREEMENT as to Kayaba Industry Co LTD. (km) (Additional attachment(s) added on 9/16/2015: # <a href="#">1</a> Attachment "A" to Plea Agreement, # <a href="#">2</a> Attachment "B" to the Plea Agreement, # <a href="#">3</a> Attachment "C" to the Plea Agreement) (km). (Entered: 09/16/2015)
09/16/2015	<a href="#">10</a>	NOTICE OF ATTORNEY APPEARANCE: Ralph William Kohnen appearing for Kayaba Industry Co LTD <i>d/b/a KYB Corporation</i> (Kohnen, Ralph) (Entered: 09/16/2015)
09/16/2015	<a href="#">11</a>	MOTION for Leave to Appear Pro Hac Vice of Larry Mackey (Filing fee \$ 200, receipt number 0648-5207494) by Kayaba Industry Co LTD. (Attachments: # <a href="#">1</a> Certificate of Good Standing) (Kohnen, Ralph) (Entered: 09/16/2015)
09/16/2015	<a href="#">12</a>	MOTION for Leave to Appear Pro Hac Vice of Brian Weir-Harden (Filing fee \$ 200, receipt number 0648-5207537) by Kayaba Industry Co LTD. (Attachments: # <a href="#">1</a> Certificate of Good Standing) (Kohnen, Ralph) (Entered: 09/16/2015)

09/16/2015	<a href="#">13</a>	NOTICE OF ATTORNEY APPEARANCE: Caitlin Felvus appearing for Kayaba Industry Co LTD <i>d/b/a KYB Corporation</i> (Felvus, Caitlin) (Entered: 09/16/2015)
09/17/2015	<a href="#">14</a>	ORDER granting <a href="#">11</a> Motion for Leave to Appear Pro Hac Vice as to Kayaba Industry Co LTD (1). Signed by Judge Michael R. Barrett on 9/17/15. (ba) (Entered: 09/17/2015)
09/18/2015	<a href="#">15</a>	ORDER granting <a href="#">12</a> Motion for Leave to Appear Pro Hac Vice for Attorney Brian R. Weir-Harden for Kayaba Industry Co LTD. as to Kayaba Industry Co LTD (1). Signed by Judge Michael R. Barrett on 9/17/15. (ba) (Entered: 09/18/2015)
09/23/2015	<a href="#">16</a>	NOTICE as to Kayaba Industry Co LTD: Please be aware that a Status Conference has been set for 9/28/2015 at 03:30 PM by teleconference before Judge Michael R. Barrett; <b>YOU MUST ACCESS THIS DOCUMENT TO OBTAIN CONFERENCING INFORMATION. PLEASE BE AWARE THAT YOU MUST BE LOGGED INTO CM/ECF THROUGH THE COURTS WEBSITE (NOT PACER) AT WWW.OHSD.USCOURTS.GOV USING YOUR OWN PASSWORD BEFORE RETRIEVING THIS DOCUMENT THROUGH THE NOTICE OF ELECTRONIC FILING.</b> NOTE: You will be required to use this information each time the Court conducts a telephone conference. (ba) (Entered: 09/23/2015)
09/23/2015	<a href="#">17</a>	NOTICE <i>Rule 12.4(a)(2) Disclosure Statement of the United States</i> by USA as to Kayaba Industry Co LTD (Glad, Daniel) (Entered: 09/23/2015)
09/28/2015		Minute Entry for proceedings held before Judge Michael R. Barrett:Status Conference as to Kayaba Industry Co LTD held on 9/28/2015; Carla Stern and Daniel Glad appeared for Plaintiff; Caitlin Felvus, Larry Mackey, Brian Weir-Harden and Ralph Kohnen appeared for Defendant; matter to proceed with Plea and Sentence set for 10/29/2015 at 09:30 AM in Courtroom 109 - Cincinnati before Judge Michael R. Barrett. (ba) (Entered: 09/28/2015)
10/05/2015	<a href="#">18</a>	Unopposed MOTION to Seal by Kayaba Industry Co LTD. (Kohnen, Ralph) (Entered: 10/05/2015)
10/05/2015	<a href="#">21</a>	MOTION by USA as to Kayaba Industry Co LTD for Downward Departure and Sentencing Memorandum. (ba) (Additional attachment(s) added on 10/5/2015: # <a href="#">1</a> Attachment A) (ba). Modified on 10/6/2015 (ba) to edit security of motion and regenerate NEF. (Entered: 10/05/2015)
10/06/2015		NOTATIONAL ORDER signed by Judge Michael R. Barrett on 10/6/15 granting <a href="#">18</a> Motion to Seal as to Kayaba Industry Co LTD (1). (ba) (Entered: 10/06/2015)
10/21/2015		NOTICE OF HEARING as to Kayaba Industry Co LTD; Please be aware that the Plea and Sentence set for 10/29/2015 at 09:30 AM will be conducted in <b>Courtroom 4 - Room 842 - Cincinnati and will remain set before Judge Michael R. Barrett.</b> (ba) (Entered: 10/21/2015)
10/27/2015		Notice of Final PSI Transmittal to Judicial Officer as to Kayaba Industry Co LTD; case to proceed with sentencing. (ba) (Entered: 10/27/2015)
10/28/2015	<a href="#">23</a>	Notice of PSI Transmittal to Judicial Officer as to Kayaba Industry Co LTD. USPO Laura A. Shannon. (jee) (Entered: 10/28/2015)
10/29/2015	<a href="#">24</a>	Minute Entry for proceedings held before Judge Michael R. Barrett:Plea and Sentence Hearing held on 10/29/2015 Kayaba Industry Co LTD (1); Counsel present; Waiver of Indictment presented; Guilty Plea entered on Count 1 of Information; Sentencing on Count 1 of Information: \$62M fine; \$400.00 special assessment; fine to be paid no later than 15 days from the date of judgment. (Court Reporter: Maryann Maffia, Official) (ba) (Entered: 10/29/2015)
10/29/2015		Initial Appearance as to Kayaba Industry Co LTD held on 10/29/2015 (ba) (Entered: 10/29/2015)
10/29/2015	<a href="#">25</a>	WAIVER OF INDICTMENT by Kayaba Industry Co LTD (ba) (Entered: 10/29/2015)
11/02/2015	<a href="#">26</a>	JUDGMENT as to Kayaba Industry Co LTD (1); Count 1 of an Information: \$62,000,000.00 fine to be paid 15 days from the date of judgment; \$400.00 special assessment. Signed by Judge Michael R. Barrett on 11/2/15. (ba) (Entered: 11/02/2015)
11/30/2015	<a href="#">28</a>	TRANSCRIPT of Proceedings, Initial Appearance, Plea and Sentencing, as to Kayaba Industry Co LTD, held on October 29, 2015, before Judge Michael R. Barrett. Court Reporter/Transcriber: Maryann T. Maffia (Official), Telephone number 513-564-7677. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.  NOTICE RE: REDACTION OF TRANSCRIPTS: Within 5 business days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the party's intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.ohsd.uscourts.gov (Forms - Electronic Availability of Transcripts). Please read this policy carefully.  For a complete copy of a transcript, please contact the Court Reporter or the Clerk's Office. Redaction Request due 12/21/2015. Redacted Transcript Deadline set for 12/31/2015. Release of Transcript Restriction set for 2/29/2016. (Maffia, Maryann) (Entered: 11/30/2015)
12/17/2015	<a href="#">29</a>	Notice of Satisfaction of Judgment by Kayaba Industry Co LTD (Hamilton, Bethany) (Entered: 12/17/2015)

