

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Case No. 16-20810

v.

Honorable George Caram Steeh

TAKATA CORPORATION,

Defendant.

\_\_\_\_\_ /

**CONSENT ORDER AND JUDGMENT OF FORFEITURE**

The parties, through counsel hereby submit this Consent Order and Judgment of Forfeiture to the Court and stipulate and agree to the following:

The First Superseding Information charges Defendant with wire fraud in violation of 18 U.S.C. § 1343. The First Superseding Information also contains a Forfeiture Allegation. The Forfeiture Allegation provides that upon conviction, Defendant shall forfeit to the United States, all proceeds, direct or indirect, or property traceable thereto, all property that facilitated the commission of the violations alleged, or property traceable thereto, and all property involved in, or property traceable thereto, of the violations set forth in this First Superseding Information.

On February 27, 2017, Defendant entered into a Rule 11 Plea Agreement in which it pleaded guilty to Count One of the First Superseding Information. In the Rule 11 Plea Agreement and pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461,

Defendant agreed to imposition of a forfeiture money judgment in the amount of One Hundred Fifty Million Dollars (\$150,000,000.00) in U.S. Currency.

The parties agree that if Defendant complies with Paragraphs 3(B) and 3(E)(2)(i) as stated in the Rule 11 Plea Agreement, incorporated by reference, within thirty days of the entry of guilty plea, this money judgment will be considered satisfied in full.

Accordingly, based on the First Superseding Information, the Rule 11 Plea Agreement, and the record in this case, and pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461, and Rule 32.2 of the Federal Rules of Criminal Procedure:

**IT IS HEREBY ORDERED** that a money judgment in the total amount of One Hundred Fifty Million Dollars (\$150,000,000.00) in U.S. Currency is entered against Defendant in favor of the United States of America. To satisfy the money judgment, any assets that Defendant has, or may later acquire, may be forfeited as substitute assets pursuant to 21 U.S.C. § 853(p). The forfeiture money judgment shall be reduced by the amount of funds ultimately forfeited to the United States.


However, **IT IS ORDERED** that if the Defendant fully complies with its obligations under Paragraphs 3(B) and 3(E)(2)(i) as stated in the Rule 11 Plea Agreement, incorporated by reference, within thirty days after entry of the plea in this case, this money judgment will be considered satisfied in full.

**IT IS FURTHER ORDERED** that the Court shall retain jurisdiction in this case for the purpose of enforcing this Order and that pursuant to Rule 32.2(b)(3), this Order of Forfeiture shall become final as to the Defendant at the time of sentencing and shall be made part of the sentence and included in the Judgment; and

Agreed as to form and substance:

**IT IS SO ORDERED.**

Dated: 2-27-17

  
\_\_\_\_\_  
HONORABLE GEORGE CARAM STEEH  
United States District Judge

Submitted by:

BARBARA L. MCQUADE  
United States Attorney  
Eastern District of Michigan

  
\_\_\_\_\_  
JOHN K. NEAL

Chief, White Collar Crime Unit

ERIN S. SHAW

ANDREW J. YAHKIND


Assistant United States Attorneys  
Eastern District of Michigan


ANDREW WEISSMANN  
Chief, Criminal Division  
Fraud Section  
United States Department of Justice

  
\_\_\_\_\_  
BRIAN K. KIDD

CHRISTOPHER D. JACKSON  
ANDREW R. TYLER  
Trial Attorneys  
Criminal Division, Fraud Section  
United States Department of Justice

Consented to:

  
\_\_\_\_\_  
LANNY BREUER  
DANIEL SULEIMAN  
Covington and Burling LLP  
Counsel for Takata Corporation

  
\_\_\_\_\_  
ANDREW LEVANDER  
HECTOR GONZALEZ  
MAURICIO ESPANA  
Dechert LLP  
Counsel for Takata Corporation