



# Department of Justice

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## **PARKING HEATER COMPANY SENTENCED TO PAY \$14.9 MILLION CRIMINAL FINE FOR PRICE-FIXING SCHEME**

WASHINGTON – Espar Inc. has been sentenced to pay a \$14.9 million criminal fine after pleading guilty to participating in a scheme to fix prices for parking heaters used in commercial vehicles, the Department of Justice announced today.

Espar Inc. pleaded guilty to a one-count felony charge in the U.S. District Court of the Eastern District of New York on March 12. At a hearing held today, the court formally accepted Espar's plea agreement with the United States and sentenced the company in accordance with that agreement.

“Today’s sentencing drives home the message that the Department of Justice will not tolerate price fixing that thwarts free competition by setting minimum prices and coordinating price increases,” said Assistant Attorney General Bill Baer of the Department of Justice’s Antitrust Division. “This conspiracy among sellers of parking heaters resulted in many years of higher prices for aftermarket customers. While the Antitrust Division is pleased with this final resolution of the charge against Espar, we will continue our efforts to root out anticompetitive practices in this industry.”

According to the charge, Espar conspired with others to fix prices for parking heaters in the United States and elsewhere in North America from at least as early as Oct. 1, 2007, until Dec. 31, 2012. Parking heaters are devices that heat the interior compartment of a motor vehicle independent of the operation of the vehicle’s engine. Espar and its co-conspirators discussed parking heater prices for commercial vehicles, agreed to set a price floor for parking heater kits for commercial vehicles sold to aftermarket customers and agreed to coordinate the timing and amount of price increases for parking heaters for commercial vehicles sold to aftermarket customers. The conspiring companies carried out the agreement and exchanged information for the purpose of monitoring and enforcing adherence to the agreement.

Espar has pleaded guilty to a charge of price fixing in violation of the Sherman Act, which carries maximum penalties of a \$100 million criminal fine for corporations. The maximum fine may be increased to twice the gain derived from the crime or twice the loss suffered by the victims of the crime if either of those amounts is greater than the statutory maximum fine.

Today's sentencing is the result of an ongoing federal antitrust investigation handled by the Antitrust Division's New York Office with assistance from the FBI's New York Field Office. Anyone with information concerning price fixing or other anticompetitive conduct in the parking heater industry should contact the Antitrust Division's Citizen Complaint Center at 1-888-647-3258 or visit [www.justice.gov/atr/contact/newcase.html](http://www.justice.gov/atr/contact/newcase.html).

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