

Statement Regarding Civil Lawsuit Filed by Nissan Motor Company

Carlos Ghosn

November 12, 2020

On November 19, 2018, I was arrested by public prosecutors of Japan immediately after arriving at Haneda Airport. Through repeated arrests and detentions, I was held at a Japanese detention center for a total 130 days.

I had been Representative Director and Chairman of Nissan, where a portion of senior management had conducted an illegal and unreasonable internal investigation for purposes of my banishment. These people brought their findings to the Public Prosecutors Office, which in turn fabricated criminal charges for false statements concerning problems of disclosure with my executive compensation at Nissan in annual securities reports and arrested me.

Then the Public Prosecutors Office fabricated criminal charges of aggravated breach of trust concerning disbursements related to Nissan's Middle East business operations, which constituted neither misconduct nor crime and should have been resolved within Nissan if there was any doubt, and re-arrested me.

After being released from custody at the detention center, I was burdened with severe restrictions to my activity, prohibited from not only departing Japan, but from seeing my wife and my son. I was thus awaiting the beginning of criminal trials in Japan, scheduled to start in April 2020 on charges of false statements of annual securities reports and in September on charges of aggravated breach of trust. These dates, however, were changed due to the Public Prosecutors' circumstances, such that the beginning of trial for aggravated breach of trust was postponed until 2021 or 2022. Even the basic principle of criminal justice calling for a speedy trial was not honored. Despair over continuation of being prohibited of leaving the country and from seeing my family members for a long period of time led me to escape from the extremely unjust violations of human rights of Japan and depart the country for Lebanon.

On February 12 of this year after I had departed for Lebanon, Nissan filed a civil lawsuit against me demanding compensation for damages of 10 billion yen and issued a press release about this. But the complaint, for whatever reason, was not served on me in Lebanon for more than half a year. I then delegated my powers to two Japanese attorneys Masashi Mitsuishi and Jun Yamauchi to receive service of the complaint and subsequently responded to the suit.

As the first date of oral arguments arrived on November 13, 2020, I delegated my powers to Attorney Nobuo Gohara as my litigation counsel. Since my arrests, Attorney Gohara has continually pointed out serious problems with respect to the investigations and indictments by the public prosecutors and the governance of Nissan who banished me. Beginning in autumn last year, he interviewed me and subsequently published his book in Japanese *In Depth: Dialogue with Carlos Ghosn in a Nation that Convicts over 99% of Indictments* [translated title] with content from those



interviews in April of this year.

The current Nissan civil lawsuit is an extension to the extremely unreasonable internal investigation with sinister intent by a portion of Nissan's senior management and the unreasonable arrests and indictments by the public prosecutors. Through a fair civil trial, I am certain that the counter-evidentiary activities of defense counsel headed by Attorney Gohara, who is well-informed about the wrongfulness alleged by Nissan and details and problems of the criminal case that resulted in indictment, will show that the suspicions of wrongfulness and charges held against me have absolutely no foundation.

Carl A. Rick