

## Antitrust and Competition Litigation

Our Antitrust & Competition Litigation practice includes all aspects of private civil litigation relating to antitrust and competition disputes, representing clients in both civil and criminal enforcement matters, and counseling businesses on a range of antitrust and competition matters integral to their operations, including compliance with applicable regulations. We offer a well-rounded perspective, with Antitrust & Competition Litigation team members in New York, Washington, D.C., and Europe. Members of our team are recognized by *Chambers USA*, *The Legal 500*, *Who's Who Competition* and other major ranking publications for their excellence in antitrust.

We punch well above our weight in representing companies in some of the most complex and highest stakes cases. Our attorneys have decades of experience litigating civil antitrust and competition disputes in trial and appellate courts, including defending clients in class action suits against allegations of cartel behavior, litigating disputes among companies relating to allegations of monopolization and other exclusionary conduct, and defending clients in Federal Trade Commission (FTC) and Department of Justice (DOJ) civil enforcement actions. We also have experience representing plaintiffs in a variety of antitrust matters, as well as representing and advising non-party companies in FTC and DOJ investigations.

We regularly assist companies and executives in enforcement proceedings relating to allegations of criminal violations of antitrust and competition law. Our team includes an alumnus of the FTC and several former Assistant U.S. Attorneys. In cooperation with our *Chambers* and *The Legal 500*-ranked white collar defense team, our antitrust litigators have a superb record in achieving favorable results for clients facing government enforcement actions. Further, we have particular strength in helping companies navigate parallel government and civil actions, working with them to determine the most advantageous litigation strategy when facing multiple actions relating to the same conduct.

Several partners in our Antitrust & Competition Litigation practice have served in leadership roles within the ABA Antitrust Section for years, and our senior attorneys regularly lecture and write on issues of interest to the antitrust community.

### Antitrust and Competition Litigation Representative Matters

- Represent a branded pharmaceutical company with regard to an allegation of a "pay for delay" antitrust violation in *In Re Namenda Antitrust Litigation*.
- Represent a tuna manufacturer with regard to an alleged cartel in shelf stable tuna products in *In Re Packaged Seafood MDL*.
- Represent a public streaming entertainment company in its capacity as a third party in various civil investigations and litigation brought by the FTC and certain U.S. state attorneys general in which the company's interests are impacted by the actions of the largest Big Tech companies.
- Represent an innovative technology company in connection with DOJ antitrust litigation against Google.
- Represent a media and entertainment company regarding an investigation involving anticompetitive conduct by a large technology company.
- Represent a commodities company concerning an investigation in Eastern Europe.
- Represent an individual in the generic pharmaceutical industry with regard to an investigation by government entities and private follow up allegations.
- Represent an individual in a federal investigation into bid-rigging on federal contracts.
- Represent the world's largest auto parts manufacturer in multi-jurisdictional litigation in *In Re Auto Parts MDL*.
- Represent an electronics manufacturer with regard to a multi-jurisdictional litigation in *In Re Lithium Ion Batteries MDL*.
- Represent an electronics manufacturer regarding multi-jurisdictional litigation in *In Re Cathode Ray Tubes MDL*.
- Served as plaintiff's counsel in failure-to-pay contractual disputes within the fuel industry.
- Represented a Norwegian ocean shipping company in private civil antitrust class action alleging cartel activity among shipping companies.
- Represented a major airline in a lawsuit alleging price-fixing in the air cargo industry.
- Represented a commodities trading company in the antitrust class action cases captioned *In re: North Sea Brent Crude Oil Futures Litigation*.

- Represented grocery stores in a class action in which injuries due to antitrust violations related to cartel activity in the meat processing and packaging industry are alleged.
- Represented a senior manager of a large inter-dealer broker in criminal and civil probe into interest rate manipulation.
- Represented a major financial institution in an action alleging conspiracy and boycott in violation of state antitrust law in preventing the use of a patented method of financing airport terminal construction.
- Represented one of the country's largest manufacturers of disposable cups and plastic cutlery against allegations of criminal and civil cartel activity in the industry; no criminal charges were brought and obtained dismissal of civil case.
- Obtained jury verdict and affirmance on appeal for aftermarket auto parts retailer against allegations that it unlawfully induced discriminatory pricing in violation of the Robinson-Patman Act.
- Obtained dismissal of a lawsuit brought by a potential competitor alleging that an online casino conspired to exclude competition.
- Represented the world's largest manufacturer of artificial teeth in civil antitrust litigation regarding monopolization claims relating to distribution contracts.
- Obtained summary judgment and affirmance on appeal for a Canadian potash producer against allegations of a price fixing conspiracy.
- Obtained summary judgment and affirmance on appeal on behalf of a Puerto Rican newspaper and its subsidiary in a lawsuit that alleged an unlawful tying arrangement involving advertising and commercial printing markets.
- Obtained affirmance on appeal of dismissal of antitrust claim against a multi-employer collective bargaining association alleging conspiracy to exclude non-members from the market.
- Obtained summary judgment and affirmance on appeal for a major auto glass manufacturer against competitor's allegations of a conspiracy to control the auto glass market and exclude competition.
- Obtained summary judgment on behalf of a group of cardiologists against allegations that it unlawfully conspired with a hospital to exclude a competing hospital from the market.
- Represented a class of Division I men's basketball and football players against the NCAA over compensation of athletes, including representation on both First Amendment and antitrust issues.
- Represented a leading provider of enterprise mobile business solutions in three putative class actions alleging claims of price fixing, concerted refusal to deal, and conspiracy to monopolize in connection with certain aspects of the wireless telecommunications market.
- Represented an independent manufacturer in antitrust litigation against Fortune 500 competitor that sought to tie service of machinery to use of competitor materials.
- Represented a telecommunications company in antitrust disputes with competitors, consumer groups, and regulatory disputes with state and local administrative agencies.
- Represented a major beverage company in a dispute with a competitor over access to a group of Pennsylvania colleges.
- Represented three European software design companies in private civil monopolization litigation following landmark DOJ lawsuit against Microsoft.
- Represented a major pharmaceutical company's vision care subsidiary in an antitrust lawsuit brought by a retail customer alleging vertical price fixing and related class actions brought by consumers alleging both vertical and horizontal price fixing.
- Represented a vitamin manufacturer in civil antitrust action alleging price-fixing.
- Represented plaintiff class of consumer packaged goods manufacturers in an antitrust action involving anti-competitive practices in the market for in-store promotions.