

ANTITRUST LITIGATION



When businesses find themselves at risk of government investigation, enforcement actions, or private antitrust claims because of corporate growth, expansion, or reorganization, Husch Blackwell is a trusted advisor. Our preventive counseling helps clients steer around potential obstacles posed by complex federal statutes. When court action is unavoidable, we design strategic approaches to defeat antitrust claims and keep clients' businesses moving forward.

Our team has proven success defending businesses in antitrust litigation and unfair competition law cases involving the Clayton Antitrust Act of 1914, monopolization, price discrimination, the Racketeer Influenced and Corrupt Organizations Act (RICO), the Sherman Act, trade regulation, and vertical resale restrictions.

Representative Experience

Defended a Fortune 500 company against antitrust and breach of contract claims. After several years, numerous motions and hearings, and lengthy discovery, the case was resolved very favorably for the client. The exact terms of the resolution are confidential.

Represented a Fortune 500 company in a complex case involving a myriad of antitrust, intellectual property, tort, and contract issues. Jury entered verdict on all seven counts

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in favor of client, and Court in post-trial motions awarded client \$7 million in sanctions against plaintiff.

Represented plaintiff in an antitrust matter. The Court rejected defendant's attempts to revive patent misuse defense and antitrust counterclaim and defendant's challenge to the reasonable royalty determined by the district court and upheld jury award of \$375,000 as supported by evidence.

Secured a complete victory for the chief medical officer of a public hospital in a case alleging federal and state constitutional deprivations, antitrust violations, breach of contract, procurement of breach, and interference with existing and prospective business relationships and conspiracy.

Represented First Tower Loan in a suit that alleged that, in violation of the Telephone Consumer Protection Act (TCPA), First Tower had used an automatic telephone dialing system to call borrowers' cellphones. We convinced the plaintiff to voluntarily dismiss the case with prejudice, achieving complete victory for First Tower Loan without incurring the substantial cost of prolonged TCPA litigation.

Successfully represented national association of surgical nurses with 42,000 members in antitrust litigation under Sections 1 and 2 of the Sherman Act and obtained dismissal of both claims.