

OUR PRACTICE

Antitrust

Baker Donelson's Antitrust Group is based in Washington, D.C. with antitrust attorneys located throughout the United States offices. The Group consists of more than 25 experienced attorneys with a broad range of antitrust experience in international, national, state and local issues. Just as important as our antitrust experience is making sure that we are efficient, effective and responsive for our clients, especially since we are frequently handling bet-the-company matters.

Clients from every industry rely on us to defend antitrust cases of all sizes and types, including major multi-defendant antitrust class actions, multi-district litigation, state class action cases and state attorney general parens patriae suits. We also handle federal and state government investigations, criminal antitrust matters, mergers and acquisitions before the federal agencies (including Hart-Scott-Rodino filings) and Robinson-Patman Act price discrimination and resale price maintenance issues. The Antitrust Group also provides counseling to a wide variety of Fortune 500 clients on horizontal and vertical matters, monopolization, benchmarking, acquisitions and consumer protection issues.

The Antitrust Group is regularly involved in antitrust matters and litigation across the country, not only where we have offices, but also recently in California, Michigan, New York, New Jersey, North Carolina, Illinois and Vermont. Recently, the Firm was involved in a major multi-defendant, multi-district antitrust case involving the auto insurance industry and served as Liaison Counsel in that matter. As one of the top health care law firms in the country, we also routinely represent our health care clients on a variety of health care antitrust issues.

Many of our antitrust lawyers are listed in *Best Lawyers in America* in antitrust, commercial litigation and other areas, have held leadership positions in the ABA's Antitrust and Litigation Sections and in local bar associations, and have been named as Outstanding Healthcare Antitrust Lawyers by *Nightingale's Healthcare News*. Our attorneys also have served as Assistant U.S. Attorneys and have held supervisory positions in the Department of Justice. While Baker Donelson is involved in antitrust litigation throughout the country, we also have the advantage of experienced antitrust litigators who know the local courts.



Case Studies

- [Eleventh Circuit En Banc Appellate Ruling Affirms Dismissal of Antitrust Claims Against Automobile Insurer - Antitrust](#)



Representative Matters

- Lead counsel in a multi-defendant class action defending a poultry processor against a putative nationwide class of broiler growers bringing claims under antitrust laws and the Packers and Stockyards Act alleging suppression of broiler grower compensation by the industry through information sharing and/or no-poach or non-solicitation agreements.
- Lead counsel in a multi-defendant class action defending a poultry processor against a putative nationwide class of hourly and salaried poultry workers bringing claims under antitrust laws alleging suppression of plant worker compensation and/or benefits by the industry through information sharing, serving as liaison counsel for a large group of defendants.
- Lead counsel for defendant in a multi-defendant class action alleging collusive practices in the pricing of multi-family apartments through information sharing.

- Defendants' liaison counsel in a major multi-district antitrust matter, *In re: Autobody Shop Antitrust Legislation* (M.D. Fla.), involving allegations by auto body shops of collusion by insurers to cap rates and reimbursements at artificially low levels and boycott non-compliant shops.
- Successfully represented a major hospital system in seeking state action antitrust immunity under state laws (Certificate of Public Advantage) for a major merger.
- Served as national counsel for a major pharmaceutical company in complex multi-defendant price-fixing and Robinson-Patman price discrimination, multi-district litigation class actions, and related consumer class actions in federal and state courts.
- Represented a transportation company in a major multi-district class action litigation alleging price-fixing of fuel surcharges and served on defendants' case management committee.
- Successfully defended client in an FTC preliminary injunction action seeking to enjoin major acquisition (three-day expedited federal court trial) and FTC administrative trials involving predatory pricing, monopolization, price discrimination, and merger issues.
- Represented a defendant distributor in a multi-defendant dealer termination case alleging group boycott, monopolization, Robinson-Patman price discrimination, and violations of state law. Monopolization claims dismissed and summary judgment on Section 1 claims.
- Served as coordinating counsel in a major Department of Justice benchmarking/information sharing investigation involving trade associations and member companies.
- Represented hospitals in major FTC investigations of consummated mergers involving substantial document production, depositions, submission of numerous white papers, and presentations to staff by economic and industry experts, executives, and attorneys.
- Substantial experience in Hart-Scott-Rodino filings, agency follow-up inquiries, second requests, and merger investigations.
- Represented a sports equipment manufacturer in a Department of Justice investigation relating to the termination of antitrust decrees.
- Represented clients in investigations and consents involving the Department of Justice and the Federal Trade Commission.