Civil antitrust claims usually involve significant discovery, the threat of treble damages in the US and, in some cases, the burden of defending a class action and claims in multiple jurisdictions or related investigations by enforcement authorities. Antitrust claims can also create leverage in business relations and between business rivals. With first-rate, first-chair litigation experience, we are able to meet these challenges head-on and successfully guide our clients through the defense and strategic use of antitrust claims.

We litigate successfully in federal and state courts across the US, courts of the European Union, and national courts in EU member states, as well as in arbitral tribunals. In Europe, we have been increasingly involved in civil litigation matters before national courts. In private treble-damage class actions, Steptoe has long represented clients in cases brought under the federal and state antitrust laws. We also have extensive experience on class certification issues, consolidation of multidistrict cases, and other procedures governing litigation in the US.

As the US governments have stepped up enforcement and the class action bar has brought cases in state rather than federal court to avoid federal case law, Steptoe has also developed substantial experience in representing defendants in state court and in arranging removal, opposing certification of nationwide classes, defending against punitive damage claims, and creating new state law on exemptions and immunities. This experience has proved instrumental in successfully handling cases subject to the Class Action Fairness Act (CAFA).
Representative Matters

- Defending Amadeus IT SA against claims alleging conspiracy among three global distribution systems to impose substantially similar terms to distribute airline tickets. The case involves complex regulatory questions and developments in high-technology markets.

- Defending Japan Airlines International Co., Ltd. (JAL) against ground-breaking civil damages claims in London relating to an alleged worldwide air cargo conspiracy. This follows successful defenses of JAL in the US class actions In re Air Cargo Shipping Services Antitrust Litigation and In re Transpacific Passenger Air Transportation, which both settled favorably after motions to dismiss.

- Successfully defended LG Chem in follow-on litigation initiated by Microsoft Mobile Oy in the UK High Court.

- Defended Korean food manufacturer Yakult in civil damages class action alleging price-fixing of products made in Korea and sold in the US in In re Korean Ramen Antitrust Litigation. Obtained the only complete dismissal of for any defendant in the action, which continued against other against defendants.

- Represented Mitsubishi Heavy Industries in bringing antitrust claims against General Electric for abusive uses of patents relating to turbines for wind power generators. The suit was part of a complicated series of lawsuits and counter-suits between the two industrial giants, ultimately resolved by settlement of the various intellectual property, antitrust, and other claims.

- Defended Republic Services in three cases, 2 filed in Louisiana and 1 in the Northern District of California, alleging violation of the state Unfair Practices Act.

- Defending National Milk Producers Federation (NMPF), a federation of dairy cooperatives in the US, in several direct and indirect civil class actions under federal and state law. The claims seek damages allegedly caused by a long-running federation program relating to supplies of raw milk linked to some $9.5 billion worth of higher payments to dairy farmers. The case raises fundamental yet rarely addressed questions of the scope of statutory exemptions from antitrust laws for agricultural cooperatives.

- Represented Cellular South, the largest privately held US wireless telephone company, in an antitrust suit to block the proposed merger of AT&T and T-Mobile. This high-profile lawsuit followed complaints filed by the Department of Justice’s Antitrust Division, seven states, and Sprint Nextel. After participating in DOJ’s investigation of the merger, Cellular South decided its concerns as a regional carrier were different and needed to be heard separately from those raised by the DOJ and Sprint Nextel. The proposed merger was eventually abandoned before trial.

- Defended Crestron Electronics, Inc. in antitrust litigation in US District Court for the District of Massachusetts in an antitrust lawsuit brought by a competitor for alleged exclusive dealing and exclusionary conduct relating to home automation and control products. Also represented Crestron in the US District Court for the District of New Jersey in related antitrust and business tort litigation with a former distributor. Succeeded in the New Jersey matter in securing dismissal with prejudice of all antitrust counterclaims and a settlement requiring payment from the distributor and an agreement that the distributor take specified remedial actions.
News & Publications

PRESS RELEASES

Global Competition Review Shortlists Steptoe for Three GCR Team Awards
October 30, 2020

PUBLICATIONS

Asset Tracing and Recovery: United States
The Asset Tracing and Recovery Review (EIGHTH EDITION)
2020
By: Steven K. Davidson, Michael J. Baratz, Jared R. Butcher, Molly Bruder Fox

PRESS RELEASES

New York Super Lawyers Recognizes Steptoe Attorneys
September 29, 2020

PRESS RELEASES

Steptoe Scores Antitrust Appellate Victory in First Circuit for Eversource
September 15, 2020

PRESS RELEASES

Antitrust Lawyer Michael L. Weiner Joins Steptoe in New York
September 2, 2020

MEDIA MENTIONS

MLex Quotes Yumiko Takahashi on EU’s Goal for Foreign Subsidy Rules
July 10, 2020

MEDIA MENTIONS

The Lawyer Profiles Steptoe’s UK Litigation Practice
April 21, 2020

CLIENT ALERTS

UK Competition Law and COVID-19
April 3, 2020
By: Charles Whiddington, Angus Rodger, Zanda Romata

PUBLICATIONS

Merger Approvals Takes Too Long
Times of London
November 11, 2019
By: Michael L. Weiner

PUBLICATIONS

Asset Tracing and Recovery: United States
The Asset Tracing and Recovery Review (Seventh Edition)
2019
By: Steven K. Davidson, Michael J. Baratz, Jared R. Butcher, Molly Bruder Fox

Events

WEBINARS

The Intersection of Antitrust and Regulation
Continuing Issues in 2018
April 18, 2018
Speakers: Douglas G. Green, Anthony J. LaRocca

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Antitrust/Competition
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