

## Antitrust

Compliance with antitrust and competition laws is a growing concern as businesses increasingly rely on beneficial alliances and efficiency-enhancing agreements.

With valuable insights and hands-on experience with antitrust agencies, we help clients develop a coordinated and efficient approach, including conducting investigations and creating compliance programs designed to preempt antitrust issues, resolving matters before the antitrust agencies and tribunals. Our litigators cover the full range of antitrust counseling and litigation, including pricing, distribution, intellectual property, and civil and criminal investigations. These investigations have involved claims or charges of participation in price-fixing conspiracies, horizontal market allocations, group boycotts, monopolization, anticompetitive licensing of intellectual property, and price discrimination. We also analyze and obtain clearance for merger transactions from the Federal Trade Commission, Department of Justice, and foreign competition authorities and represent third parties subject to antitrust discovery or wishing to object to mergers before these authorities.

### Representative Matters

#### Multinational pharmaceutical company—Class action litigation

Representing a multinational pharmaceutical company in putative class actions and lawsuits brought by government entities involving RICO, antitrust, and state consumer protection law claims, all relating to the company's setting of prices for its insulin medications.

#### Multinational branded pharmaceutical company—Alleged anticompetitive pricing litigation

Defended multinational branded pharmaceutical company in litigation filed by state attorney general seeking overcharge damages for alleged anticompetitive pricing of pharmaceutical products.

#### Spring Air mattress manufacturers and licensees—Antitrust MDL

Served as plaintiffs' counsel for more than a dozen Spring Air mattress manufacturers and licensees in the favorable settlement of a federal MDL against several domestic and international manufacturers of polyurethane foam. We sought damages and injunctive relief from defendants pursuant to §1 of the Sherman Antitrust Act alleging that, for more than a decade, defendants engaged in a conspiracy to fix the price of polyurethane foam used in our mattress products.

#### Solid waste hauler—Dismissal of Sherman Act claims

Represented a commercial solid waste hauler against Sherman Act claims of predatory pricing and attempted monopolization brought by competitors in the Southern District of New York; secured dismissal of all claims on summary judgment.

#### Defendants—Class Action Antitrust Litigation

Representing the defendants in class action antitrust litigation and follow-on state attorney general litigation.

## Alerts

Merger Remedies Are Back on the Menu, Antitrust Alert, 5.24.2025

Antitrust Considerations in Preferred Vendor and Loyalty Program Agreements, Antitrust Alert, 5.28.2025

Recent Trends in State Antitrust Enforcement, Antitrust Alert, 5.16.2025

Antitrust Suits in Sports Could Shift the Rules of the Games, Antitrust + Sports & Entertainment Alert, 5.1.2025

Antitrust Implications for Companies Facing Tariffs, Antitrust Alert, 4.23.2025

Mo' Data, Mo' Problems: Antitrust Risk in the Age of Big Data, Cybersecurity & Data Privacy and Antitrust Alert, 4.21.2025

The US Antitrust Agencies Join Forces to Cut the Red Tape , Antitrust Alert, 4.17.2025

A Fair Day's Wage for a Fair Day's Work: DOJ Scores First Guilty Verdict in a Wage-Fixing Case, Antitrust Alert, 4.16.2025

Antitrust in Trump 2.0—the First 60 Days, Antitrust Alert, 3.20.25

Federal Trade Commission Launches Inquiry Into Censorship by Big Tech Platforms, Antitrust Alert, 3.6.2025

KKR Countersues DOJ for Confusing and Contradictory HSR Rules, Antitrust Alert, 2.13.2025

Healthcare Consolidation and Private Equity: Public Input on Antitrust Healthcare Regulations, Antitrust & Healthcare Alert, 2.12.2025

Antitrust Guidelines for Worker-Related Business Practices: How to Stay on the Right Side of Antitrust Hiring Laws During the Administration Transition, Antitrust Alert, 2.10.2025

FTC Issues PBM Report Signaling Consolidation Is Impacting Pharmaceutical Prices, Antitrust Alert, 1.22.2025

2025 Updates to US Merger Filing Thresholds, Filing Fees, and Interlocking Directorate Exemptions, Antitrust Alert, 1.14.2025

FTC Imposes Record \$5.6M 'Gun Jumping' Fine, Antitrust Alert, 1.10.2025

FTC Sues Southern Glazer's for Price Discrimination and Revives the Robinson-Patman Act, Antitrust Alert, 12.23.2024

Guideless: Collaborations Among Competitors, Antitrust Alert, 12.18.2024

How Companies Can Prepare for the New HSR Filing Requirements, Antitrust Alert, 12.16.2024

US Merger Filing Thresholds and Filing Fees 2024 Updates, Client Alert, 2.2.2024

Hart-Scott-Rodino Thresholds to Increase Effective February 25, 2016, Antitrust & Trade Regulation Alert, 2.9.2016

## Articles

Even You Can Violate Antitrust Laws, New Jersey Business Magazine, 5.4.2025

## Blogs

Antitrust Corporate Compliance Programs: Late 2024 Changes Mean Companies Should Revisit Their Programs Early in 2025, Government Contracts Law Blog, 1.8.2025

## Quoted

NCAA's \$2.8 Billion Settlement Gets Congress Moving Toward Fixes, Bloomberg Law, 5.17.2025

NCAA Case Dismissal Poses Hurdle for Other NIL Antitrust Suits, Bloomberg Law, 5.2.2025

McCarter & English Adds Robin Crauthers as Partner in Washington, Bloomberg Law, 12.5.2024

McCarter & English Adds Ex-DOJ Antitrust Attorney in DC, Law360 Pulse, 12.5.2024