

ANTITRUST LITIGATION

Covington has successfully litigated many complex civil and criminal antitrust matters, including nationwide class actions, consolidated multidistrict cases, short-fuse preliminary injunction proceedings, and appeals up through the United States Supreme Court. Our experience encompasses jury and bench trials in state and federal courts and before administrative agencies, and has involved such diverse industries as chemicals, communications, energy, financial services, life sciences, sports, and transportation. We combine industry expertise with first-class litigation skills to develop innovative and efficient solutions to litigation challenges.

REPRESENTATIVE MATTERS

- Fragomen Del Rey Bernsen & Loewy, LLP, the nation's leading immigration law firm, in monopolization case brought by competitor; obtained stay of discovery and then grant of summary judgment on the merits dismissing antitrust claims based on market definition defects before any discovery got underway.
- JPMorganChase and Bank of America in putative antitrust class actions involving credit cards and ATM fees.
- Bank of America, and other large banks in a putative antitrust class action challenging the interchange fees of the credit-card networks.
- Lead counsel for Boehringer Ingelheim Pharmaceutical, Inc. in antitrust price fixing litigation filed against the company and other major US pharmaceutical companies in state court in California. *Clayworth, et al. v. Pfizer, Inc.*
- *American Needle, Inc. v. New Orleans Louisiana Saints et al.*, 496 F. Supp.2d 941 (N.D.Ill. July 11, 2007), holding that the NFL clubs are a "single entity," immune from section 1 liability under the Sherman Act, for activities relating to collective exploitation of their intellectual property.
- Co-counsel to Ryanair in its challenge of the decision by the European Commission to prohibit the merger between Ryanair and Aer Lingus.
- GlaxoSmithKline and Purdue Pharma in patent/antitrust litigation.
- Seven teaching hospitals in the Medical Residents Antitrust Litigation, where we developed an integrated legislative and litigation strategy that led to dismissal of a class action antitrust claim. Dismissal was affirmed by the D.C. Circuit in June 2006.
- Solutia and Flexsys in state and federal class actions involving rubber chemicals price-fixing claims.
- The National Football League in antitrust suits challenging League practices on collective bargaining, franchise relocations, and television marketing.
- PPL Corp. in a half-dozen private suits involving wholesale electricity markets in California, the Pacific Northwest, and the mid-Atlantic states. Motions to dismiss or for summary judgment were granted in each of these cases.
- Procter & Gamble Pharmaceuticals in a California antitrust and unfair trade practices lawsuit involving authorized generic pharmaceuticals.

Thomas O. Barnett

tbarnett@cov.com
202.662.5407

Deborah A. Garza

dgarza@cov.com
202.662.5146

Charles E. Buffon

cbuffon@cov.com
202.662.5542

Theodore Voorhees Jr.

tvoorhees@cov.com
202.662.5236

Sonya D. Winner

swinner@cov.com
415.591.7072

Georg M. Berrisch

gberrisch@cov.com
32.2.549.5230