



About Kegler Brown's Antitrust Law Practice Area

Kegler, Brown, Hill & Ritter's Antitrust Law Group counsels clients regarding antitrust and business competition issues and represents clients in antitrust litigation.

In counseling clients, our antitrust lawyers work closely with our business and international lawyers. Questions about compliance with Hart-Scott-Rodino premerger notification, as well as other antitrust issues, often arise in the course of acquisitions, mergers, joint ventures and related transactions. Distribution arrangements and contracts also present antitrust questions regarding restrictions with respect to pricing, suggested retail pricing, geographic limits on distribution, exclusivity and restrictions on handling competing lines. In the international arena, foreign companies and law firms involved in transactions with American companies, as well as foreign companies with United States subsidiaries, need to be aware of the applicable antitrust laws of the United States. In each of these situations, Kegler Brown's antitrust lawyers identify the challenges and assist our clients in finding practical solutions that fit each client's business model and plans.

Kegler Brown's antitrust litigation representation of clients includes both civil and criminal antitrust litigation. Our antitrust lawyers have decades of litigation experience in antitrust cases. Our representation of clients in antitrust litigation has included:

- The successful defense of a Fortune 500 company alleged to have engaged in bid-rigging, price fixing and allocation of territories among competitors.
- Prosecution of *Walker Process* claims in the markets for street lighting and large truck delivery systems based upon the misuse of patents.
- The successful defense of a large regional supermarket chain alleged to have conditioned its purchase of products upon agreement that the suppliers not provide products to competing supermarkets.
- The successful defense of a foreign corporation against allegations of resale price maintenance.
- The successful defense of a national pharmacy chain alleged to have engaged in resale price maintenance.
- The successful defense of an international trading company alleged to have engaged in steel dumping in the U.S.
- Prosecution of antitrust claims in the horseracing and interactive wagering industries.
- Representation of a large international chemical company as a claimant in the settlement of class action litigation for price fixing, and successfully increasing our client's share of such settlement through litigation before the trial and appellate court.
- Ohio counsel representation of various national and international companies in the defense of class action price-fixing litigation in various chemical industries.

We also represent clients in connection with investigations by various enforcement authorities, including the Department of Justice, Ohio Attorney General's Office, Federal Trade Commission and the Offices of the Inspector General for various federal governmental agencies, including those overseeing government contracting in the areas of military procurement and transportation. Kegler Brown's antitrust advisors and litigators are prepared to assist you with any antitrust challenges or questions faced by your business.

Antitrust Law **OVERVIEW**



What We Do

Litigation involving:

- Price fixing
- Monopolization
- Product tying and leveraging
- International product dumping
- Group boycott
- Resale price maintenance
- Robinson Patman price discrimination
- Patent misuse (*Walker Process*) cases
- Non-competition agreements

Advice and counseling regarding:

- Restrictive distribution / exclusive dealing arrangements / refusals to deal
- Potentially anti-competitive practices and dealings with competitors
- Price differentiation
- Merger review / Hart-Scott-Rodino pre-merger notification
- Responding to Investigative Demands from governmental agencies
- Criminal investigations and responses to grand jury subpoenas
- Internal investigations / corporate compliance
- Noncompetition agreement drafting and compliance

Our Team

Practice Area Chairs: Robert Cohen, *Director* and Ralph Breitfeller, *Of Counsel*

- Erin C. Cleary, *Associate*
- Jeremiah Thomas, *Associate*