

Services

Antitrust and Trade Regulation Litigation

Practice Contact

Kenneth J. Rubin

Attorneys

Rajeev K. Adlakha

Kimberly Weber Herlihy

Kara M. Mundy

Michael P. Oliverio

Nina I. Webb-Lawton

Robert N. Webner

Vorys lawyers have represented clients in some of the most significant antitrust cases of recent years, both as plaintiffs and defendants. Our firm has represented large and small companies, national associations, and a wide range of individuals faced with litigation and investigations. We regularly represent clients in private civil litigation, in civil investigations brought by the Department of Justice, the Federal Trade Commission, and state attorneys general, and in criminal grand juries and trials. Our lawyers also have substantial experience in related trade regulation issues such as non-competition, trade secret and dealer termination litigation.

Our antitrust experience is reflected in the significant leadership positions our lawyers have held in the Antitrust Sections of the American Bar Association and the Ohio State Bar Association. Our lawyers regularly speak at business and bar programs on a variety of antitrust issues, including the variety of issues arising in the payments space, as well as teach at the law school level.

What We Do

Civil Antitrust Litigation

We have represented corporations and individuals in antitrust litigation throughout the United States, in cases that have addressed mergers and acquisitions, tying arrangements, market allocations, group boycott and price-fixing conspiracy claims, and claims under the Robinson-Patman Act.

Some of the significant matters we have handled recently include:

- Representing a number of merchants in litigation challenging Visa's and Mastercard's rules and collective fee setting
- Successfully defending major technology companies against monopolization claims
- Successfully defending a case alleging that rules governing men's Division I college basketball violated antitrust laws
- Defending a client in litigation challenging non-solicitation agreements

- Defending a client in a class action alleging anticompetitive conduct in on-line sales of contact lenses
- Defending a major food processor in a multi-district class action alleging price fixing and supply reduction
- Representing a defendant drug manufacturer in an action involving multiple Sherman Act and Robinson-Patman Act claims

Civil Antitrust Investigations

Antitrust investigations can be just as costly and time-consuming as major litigation. We have significant experience in defending clients who are the subject of investigations and in resolving the concerns of antitrust enforcers.

Some of the significant matters we have handled recently include:

- Representing various clients in Department of Justice and Federal Trade Commission investigations of mergers and acquisitions, including a major manufacturer of lawn care products, high pressure cylinders, fiber drums and food products
- Representing a major university in a civil investigation by Department of Justice
- Representing an automobile manufacturer in an industry-wide antitrust investigation by the Federal Trade Commission of procurement practices
- Representing numerous clients, including national trade associations and a major insurance broker, in civil investigations by the Ohio Attorney General
- Representing third-party witnesses in actions brought by the DOJ and FTC

Compliance Programs

Vorys has the experience to help our clients avoid exposure to criminal and civil antitrust liability. Our development of compliance programs is based on thoroughly knowing our clients' businesses and points of exposure.

Criminal Litigation and Investigations

Our lawyers have represented many clients in connection with criminal antitrust matters, both at the grand jury stage and in the courtroom. We have defended both corporations and individuals who are involved in criminal antitrust indictments and investigations throughout the United States. We also have represented foreign nationals from Europe, Asia and Latin America in connection with criminal investigations.

Some of the significant criminal antitrust matters we have handled include:

- Representing the president of an oil field service company as an individual defendant in a criminal price-fixing case trial and securing an acquittal

- Representing an individual in the grand jury investigation that led to the Archer-Daniels-Midland antitrust prosecution
- Representing clients in numerous grand jury investigations, including recent investigations involving the cathode ray tubes, air cargo, foundry chemicals, road paving, carbon fiber, polyester staple, residential window products, veterinary services and waste hauling industries

Trade Regulation

In the competitive business world, non-compete covenants and provisions protecting trade secrets are important tools that help companies protect their investments in information and employees. We have litigated non-compete and trade secret cases – on behalf of employees and employers – in diverse industries such as insurance, retail sales and automobile rentals, and for professions ranging from manicurists to physicians.

OHIO MOTOR VEHICLE DEALER ACT

Our firm has represented clients on matters involving the Ohio Motor Vehicle Dealer Act for decades. We have helped our clients to avoid Dealer Act litigation and we have litigated disputes involving dealer terminations, relocations, and ownership transfers in federal and state courts and before the Ohio Motor Vehicle Dealers Board. Our clients include manufacturers and distributors of passenger autos, heavy duty trucks, motorcycles and recreational vehicles.

We have assisted a major truck manufacturer which had lost the initial round of litigation concerning its intended termination of an Ohio dealer. Our lawyers obtained a reversal of that decision on appeal and successfully opposed an effort to have that appellate decision reviewed by the Supreme Court of Ohio. That result not only freed our client to terminate the dealer but also enabled the client to prevail, under the law of another state, in pending federal court antitrust litigation with the dealer.

News

[News, 12.29.2023](#)

More Than 30 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

[News, 10.9.2023](#)

74 Vorys Attorneys Included in 2023 *Columbus* CEO's Best Lawyers

[News, 8.17.2023](#)

More Than 155 Vorys Attorneys Named to the 30th Edition of The Best Lawyers in America® Lists

[News, 11.1.2011](#)

Vorys Ranked a "Best Law Firm" in 26 National and 47 Metropolitan Categories in *U.S. News - Best Lawyers* List

Speaking Engagements

Event, 11.27.2023

University of Cincinnati, Lindner School of Business Guest Lecture

5.1.2014

The Foreign Corrupt Practices Act: Compliance and Investigations

Ohio State Bar Association Annual Convention 2014