

Practices

Related Practices

Bankruptcy and Insolvency Litigation
Complex Commercial Litigation
Directors and Officers Liability Litigation
Fiduciary Litigation
High Stakes Litigation
International Dispute Resolution
Professional Liability Litigation

Initial Contacts

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Antitrust

Diamond McCarthy's litigation team has handled complex antitrust issues and trade regulations. Whether civil or criminal in nature, an element of a bankruptcy proceeding, or a class action, our trial lawyers are experienced in prosecuting and defending cases in courts across the country.

Our clients represent a variety of industries. They include manufacturers, oil and gas companies, consumer electronics companies, financial institutions, trusts, shareholders groups, life insurance companies and others. We have taken on claims related to price fixing, royalty payments, unfair competition and violations of the Sherman and Clayton Acts.

In many of our representations, antitrust issues are often just one element of our clients' cases. We currently are lead trial counsel for the post-confirmation Liquidating Trust arising out of the business insolvency of Syntax/Brilliant Corporation, a publicly traded manufacturer and seller of flat panel high definition televisions. As part of this client representation, we are prosecuting price fixing antitrust claims related to the global flat panel antitrust multi-district litigation proceedings pending in the Northern District of California. In conjunction with the case, we also have investigated and pursued cross-border international claims against a multitude of financial institutions, corporations and professional firms in the federal courts of Los Angeles, Delaware and Arizona, and outside the U.S. in the Taiwanese and Chinese judicial systems.

Representative Experience

- Acted as lead trial counsel for the post-confirmation Syntax/Brilliant Corporation Liquidating Trust arising out of this former publicly traded HDTV television manufacturer's losses in the hundreds of millions of dollars. Cross-border international claims are being investigated and pursued against a multitude of financial institutions, corporations and professional firms in the federal courts of Los Angeles, Delaware and Arizona as well as Taiwan and China.
- Acted as lead trial counsel to Mercury Air Group, a publicly traded airline transportation company, in the state and federal court courts of Los Angeles, California in connection with the defense of securities, unfair competition, antitrust, breach of contract and other claims arising out of a failed corporate acquisition.
- Acted on behalf of Citicorp and a Citicorp borrower in an antitrust action directed at the predatory practices of the competitor whose acts forced the Citicorp borrower out of business. As a result of these attorneys' work, in the state courts of New Mexico and Texas, and in the federal court in El Paso, Citicorp and the borrower obtained a very substantial settlement from

the alleged predator, its German foreign parent entities, and certain of their German and American officers and directors.

- Acted as defense counsel to large independent natural gas producer in cases brought by landowners in/near Fort Worth, Texas. Plaintiffs alleged that the industry players in the area (including our client) conspired against landowners/prospective royalty owners to drive down the price of bonus payments and royalties. Defendants (producers, brokers and related industry players) moved to dismiss the case based standing/lack of subject matter jurisdiction grounds. The judge recently granted defendants motion and dismissed the antitrust claims.

For more information on our representative experience please reach out to our initial contacts or email michael.evian@diamondmccarthy.com.