

## RELATED SERVICES

Litigation + Trial

- Sports, Entertainment +  
Multimedia Litigation

## Antitrust + Trade Regulation

Miller Canfield antitrust lawyers litigate significant antitrust cases throughout the United States on behalf of voluntary associations, independent filmmakers, manufacturers, wholesalers, trade associations, hospitals, physician groups, and other clients in a variety of industries. We are experienced in dealing with the Federal Trade Commission, the Department of Justice, and state attorneys general. We have handled many class actions and grand jury investigations. We also act in international antitrust investigations and corporate amnesty programs.

Our antitrust lawyers also counsel clients on mergers, joint ventures, product distribution, pricing, and other antitrust issues. We work closely with lawyers from other disciplines and with economists, financial consultants and other experts. We are regular participants in bar association activities and educational programs relating to antitrust and trade regulation. Larry J. Saylor and Mark T. Boonstra are former chairpersons of the Antitrust, Franchising, and Trade Regulation Section of the State Bar of Michigan.

Among other firm attorneys are former chief executive officers, vice-presidents, and general counsel of national businesses, many of whom have antitrust and trade regulation experience. Our corporate, banking, tax, and health care law practitioners have extensive experience in mergers, acquisitions and joint ventures including premerger notification under the Hart-Scott-Rodino Act.

### Antitrust Counseling

We have counseled clients and acted as lead and local counsel on a variety of antitrust and trade regulation issues, including:

- Newspaper owners regarding mergers, joint ventures, and potentially predatory conduct.
- Trade and standards-setting associations on antitrust compliance.
- Amateur sport associations, including national intercollegiate and high school sport associations, in promulgating and defending eligibility bylaws, playing rules and equipment standards.
- A major Japanese auto parts supplier concerning joint ventures with U.S. and European suppliers.

- An Asian automobile manufacturer establishing a U.S. distribution system.
- A major domestic power equipment manufacturer concerning a joint venture with another U.S. producer.
- Hospitals, physician groups and a health care trade association on mergers, joint ventures, joint purchasing, contracting with payors, exchange of information, denial of staff privileges, and marketing practices.
- Corporate clients concerning their relationships with competitors through trade associations.
- A state university, cities, counties and special authorities concerning their exposure under the federal and state antitrust laws.
- Manufacturers on dealer termination matters.
- A movie theatre concerning "clearance" practices of film distributors.

We also regularly conduct antitrust compliance seminars for our clients' sales and managerial employees.

## REPRESENTATIVE MATTERS

- Antitrust - Computer and Software Vendor  
Co-counsel for major computer and software vendor defending antitrust and intellectual property claims by a competitor seeking damages in excess of \$1 billion.
- Antitrust - Engineering Software Company  
Filed antitrust counterclaim on behalf of engineering software vendor defending trade secret claims by a competitor. The matter is pending.
- Antitrust - Furniture Manufacturer  
Defended a furniture manufacturer against price discrimination claim by a terminated retailer in the District of Oklahoma.
- Antitrust - National Grocery Retailer  
Defended a national grocery retailer against claims of attempt to monopolize and tortious interference brought by a local retailer. The district court granted summary judgment dismissing all claims.

- Media and Marketing Services Company Antitrust Action  
Trial counsel for Valassis Communications, Inc. in its legal battle with News America, Inc., a part of Rupert Murdoch's News Corporation. Obtained \$300 million jury verdict after an eight-week trial in July 2009, the eighth-largest jury verdict in the United States in 2009. As part of a comprehensive settlement--reached three days before the parties were scheduled to begin a second jury trial in Federal Court in Detroit--News America agreed to pay Valassis \$500 million and enter into a 10-year shared mail distribution agreement with Valassis. Valassis Communications, Inc. v News America Inc., Case No. 07-706645 (Wayne County Circuit Court 2007); Valassis Communications, Inc. v News America Inc., Case No. 2:06-cv-10240 (Eastern District of Michigan 2006); Valassis Communications, Inc. v News America Inc., Case No. BC367743, (Los Angeles County Superior Court, California 2007).
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