

Antitrust & Global Competition

Cotchett, Pitre & McCarthy, LLP has been at the forefront of civil antitrust enforcement with over \$2 billion in recoveries for consumers and businesses in the past several years alone. Our Antitrust & Global Competition Group draws on decades of experience practicing antitrust, unfair competition, consumer protection, and class action law on both coasts. We bring a diverse and unique global perspective to today's increasingly borderless business landscape. We have successfully led or co-led the prosecution of antitrust cases in various industries, including air transportation, automotive, cargo and logistics, consumer electronics, energy and natural gas, and financial.

CPM regularly ranks as one of the top firms in the United States for antitrust litigation. The Antitrust, UCL and Privacy Section of the California Lawyers Association (f/k/a the State Bar of California) named our founding partner, Joseph W. Cotchett, as the Antitrust Lawyer of the Year in 2011. The American Antitrust Institute has honored our attorneys with multiple awards, and our attorneys regularly appear on the Super Lawyers Top Lists.

We assist consumers, businesses, companies, and governments affected by anticompetitive conduct by advising whether and how to pursue legal action. We believe that our economy is based on fair competition, and state and federal antitrust laws are intended to ensure that competition is protected and collusion punished. Our civil enforcement of antitrust laws is a top priority, and our investigation of competition violations in various industries is ongoing. If you would like to discuss your potential or pending antitrust case, please follow up with Adam Zapala or Elizabeth Castillo.

- Email Adam Zapala
- Email Elizabeth Castillo
- Call Adam Zapala or Elizabeth Castillo at (650) 697-6000.

Antitrust Firm Resume

Key Contacts

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Noteworthy Cases

In re Automotive Parts Antitrust Litigation

USDC, Eastern District of Michigan

CPM serves as co-lead counsel for end-payor plaintiffs against scores of automotive parts suppliers for allegedly engaging in massive conspiracies to fix the prices, rig the bids, and allocate the markets of various automotive parts sold to automobile manufacturers, next sold to automobile dealerships, and then sold to consumers and businesses. To date, CPM and its co-lead counsel have recovered over \$1.2 billion for the classes.

In re Freight Forwarders Antitrust Litigation

USDC, Eastern District of New York

CPM served as co-lead counsel for purchasers of freight forwarding services from freight forwarders who allegedly engaged in a conspiracy to unlawfully inflate, fix, raise, maintain, and/or artificially stabilize the prices of freight forwarding services. CPM and its co-lead counsel recovered approximately \$450 million for the class.

In re Transpacific Passenger Air Transportation Antitrust Litigation

USDC, Northern District of California

CPM served as co-lead counsel for purchasers of air transportation against 13 Asian and Oceanic airlines for allegedly engaging in a conspiracy to fix the prices of discount fares and fuel surcharges on long-haul passenger flights for transpacific routes. CPM and its co-lead counsel recovered over \$148 million for the classes.

In re Lithium-ion Batteries Antitrust Litigation

USDC, Northern District of California

CPM served as co-lead counsel for indirect purchasers of lithium-ion batteries against lithium-ion battery suppliers for allegedly engaging in a conspiracy to fix the prices of these products. CPM and its co-lead counsel recovered \$113 million for the classes.

In re Capacitors Antitrust Litigation

USDC, Northern District of California

CPM serves as lead counsel for indirect purchasers of electrolytic and film capacitors against capacitor suppliers for allegedly engaging in two massive and separate conspiracies to unlawfully inflate, fix, raise,

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maintain, and/or artificially stabilize the prices of electrolytic and film capacitors, respectively. To date, CPM has recovered \$80.4 million for the classes.

In re Resistors Antitrust Litigation

USDC, Northern District of California

CPM served lead counsel for indirect purchasers of linear resistors for allegedly engaging in a conspiracy to unlawfully inflate, fix, raise, maintain, and/or artificially stabilize the prices of linear resistors. CPM recovered \$33.4 million for the classes.

In re Domestic Airline Travel Antitrust Litigation

USDC, District of the District of Columbia

CPM and Adam J. Zapala serve as co-lead counsel for purchasers of air transportation against American Airlines, Inc., Delta Airlines, Inc., Southwest Airlines Co., and United Airlines, Inc. for allegedly engaging in a conspiracy to restrict capacity and thereby raise prices for air passenger transportation services. To date, CPM and its co-lead counsel have recovered \$60 million for the class.

In re Broiler Chicken Antitrust Litigation

USDC, Northern District of Illinois

CPM serves as co-lead counsel for commercial and institutional indirect purchasers against broiler chicken suppliers for allegedly engaging in a conspiracy to fix, raise, maintain, and stabilize the prices of broiler chickens by coordinating output and limiting production with the intended and expected result of increasing the prices of broiler chickens.

In re Qualcomm Antitrust Litigation

USDC, Northern District of California

CPM serves as co-lead counsel for classes of consumers and businesses against Qualcomm for monopolizing and engaging in other anticompetitive conduct in the market for cellular devices and modem chips.

In re Generic Pharmaceuticals Pricing Antitrust Litigation

USDC, Eastern District of Pennsylvania

CPM and Adam J. Zapala serve as a member of the Steering Committee member and represent end-payor plaintiffs of generic drugs against dozens of generic drug manufacturers for alleged engaging in

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conspiracies to unlawfully inflate, fix, raise, maintain, and/or artificially stabilize the prices of dozens of generic drugs.

In re Cathode Ray Tube (CRT) Antitrust Litigation

USDC, Northern District of California

CPM serves as a member of the Executive Committee and represents direct purchasers against CRT manufacturers for allegedly engaged in a conspiracy to unlawfully inflate, fix, raise, maintain, and/or artificially stabilize the prices of CRTs. Counsel for direct purchaser plaintiffs recovered over \$212 million for the class.

In re International Air Transportation Surcharge Antitrust Litigation

USDC, Northern District of California

CPM served as co-lead counsel for purchasers of purchasers of air transportation against Virgin Atlantic Airways Ltd. and British Airways for allegedly engaging in a conspiracy to impose fuel surcharges on long-haul passenger flights for transatlantic routes. CPM and its co-lead counsel recovered over \$204 million for the class.

In re Optical Disk Drive (ODD) Antitrust Litigation

USDC, Northern District of California

CPM served as a member of the Executive Committee and represented direct purchasers against ODD manufacturers for allegedly engaged in a conspiracy to unlawfully inflate, fix, raise, maintain, and/or artificially stabilize the prices of ODDs. Counsel for direct purchaser plaintiffs recovered \$74,750,000 for the class.

In re Static Random Access Memory (SRAM) Antitrust Litigation

USDC, Northern District of California

CPM served as lead counsel for direct purchasers of SRAM against SRAM manufacturers for allegedly engaged in a conspiracy to unlawfully inflate, fix, raise, maintain, and/or artificially stabilize the prices of SRAM chips. CPM recovered \$77 million for the class.

In re Dynamic Random Access Memory (DRAM) Antitrust Litigation

USDC, Northern District of California

CPM served as chair of the Discovery Committee and represented direct purchasers against DRAM manufacturers for allegedly engaged in a conspiracy to unlawfully inflate, fix, raise, maintain, and/or

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artificially stabilize the prices of ODDs. Counsel for direct purchaser plaintiffs recovered over \$325 million for the class.

National Gas Antitrust Cases I, II, III, & IV

San Diego Superior Court

CPM represented 11 public entities and others for the reporting of false information by non-core natural gas retailers to published price indices to manipulate the natural gas market during the California energy crisis. CPM successfully prosecuted this case, concluding in approximately \$124 million in settlements.

In re Municipal Derivatives Antitrust Litigation

USDC, Southern District of New York

CPM represented dozens of public entities in ongoing litigation alleging the manipulation of municipal investments for bond funds by a number of financial institutions, insurance companies and brokers colluded to bid-rig the multi-billion dollar derivatives market. Bank of America sought amnesty for violations of U.S. antitrust laws by admitting its involvement in the conspiracy. Several executives from major financial institutions including JPMorgan, UBS and GE Capital have pled guilty to criminal charges for their involvement in the bid-rigging conspiracy. By bringing individual actions, CPM was able to maximize gains on behalf of its public entity clients.

News

CPM Appointed Lead Counsel in Class Action Case Protecting Healthcare Professionals
03.11.2021

CPM Helps Android Device Users Sue Google and Alphabet for Antitrust Violations
10.21.2020

Daily Journal Names CPM Partner Adam Zapala to 2020 'Top Antitrust Attorney' in California
06.24.2020

CPM Files Consumer Class Action Against Telescope Suppliers for Constellation of Antitrust Violations
06.18.2020

CPM Investigates Anticompetitive Practices in the Home-Health Care Industry Affecting Employees
04.22.2020

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CPM Partners and Class Action Experts Zapala, Castillo and Barnett Recognized for Their Work on Automotive Parts Antitrust Litigation Cases

10.10.2019

CPM Clients' Settlements in Landmark Auto Parts Litigation Surpass \$1 Billion

02.28.2018

CPM Obtains Approximately \$39 Million in Settlements Regarding Transpacific Price Fixing of Tickets

CPM Partner Tran Selected as Honoree for the 2016 Antitrust Enforcement Awards

CPM is Named Co-Lead Counsel in Suit Filed for Generic Drug Price Manipulation of Digoxin and Doxycycline

CPM Sues Alleging Price-Fixing in Poultry Products

CPM Ranked #1 Plaintiff's Antitrust Firm in U.S.

11.16.2016

CPM Antitrust Litigation Expert Elizabeth Tran Selected as Honoree for the 2016 Antitrust Enforcement Awards

10.05.2016

CPM Facilitates \$193.8 Million Settlement in Class Action re DENSO Price-Fixing Claims with U.S. Consumers and Businesses in Auto Parts, Bringing Settlement Total to Nearly Half a Billion Dollars

07.14.2016

CPM Helps American Consumers Recover \$225 Million As Court Approves Settlements Against Automotive Parts Cartel

05.12.2016

CPM Facilitates Mitsubishi Electric Agreement to Settle Auto Parts Class Action with End-Payor Plaintiffs for \$64.23 Million, Bringing Settlement Total to Over \$288 Million

04.15.2016

CPM Appointed Lead Counsel In Resistors Antitrust Class Action

12.21.2015

High court to decide whether to hear CPM client San Jose's antitrust challenge to MLB
San Francisco Chronicle, 2015

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CPM Achieves \$197 Million Settlement in Price-Fixing Whistleblower Lawsuit Involving Freight Companies

CPM Helps Secure First Civil Settlement Relating to Auto Shipping Price-Fixing Claims
07.27.2015

CPM Helps Secure \$197.6 Million in Additional Settlements in the Freight Forwarding Antitrust Case
07.20.2015

CPM Founder Cotchett Recognized by Chambers USA as One of America's Leading Antitrust Lawyers
2015

CPM Client San Jose Asks US Supreme Court to Overturn Baseball's Antitrust Exemption
NBC Bay Area, 04.15.2015

Automotive Parts Antitrust Litigation Settlement Facilitated by CPM Surpasses \$170 Million
04.02.2015

US Supreme Court Ruling Helps CPM Proceed with Antitrust LIBOR Manipulation Cases
02.13.2015

CPM Supports College Athletes Against NCAA

CPM Achieves Additional Settlements in Freight Forwarding Antitrust Case

CPM Achieves Settlements in Auto Parts - Price Fixing Antitrust Case

CPM is Handling Several International Arbitrations for Asian Corporations

Major League Baseball's Antitrust Exemption Upheld, Setting Stage for CPM Client San Jose Appeal to United States Supreme Court

Appeals Court Decides that Only the U.S. Supreme Court Can Overrule the Antitrust Exemption in CPM Client San José's Lawsuit Against Major League Baseball
01.15.2015

CPM Wins Important Ruling for Consumers Regarding the Filed-Rate Doctrine In Transpacific Passenger Air Transportation Antitrust Litigation
11.03.2014

CPM Case Continues Regarding Auto Parts Price-Fixing Antitrust Litigation

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CPM Client San Jose's Antitrust Case Against Major League Baseball on Appeal to United States Supreme Court

CPM Wins Important Ruling in Automotive Parts Price-Fixing Case Preserving Right of American Consumers and Businesses to Seek Damages
2014

CPM Client San Jose Files Argument in Federal Appeals Court Against MLB
03.05.2014

CPM Client City of San Jose Prevails on Motion to Expedite Federal Appeal Against MLB
02.20.2014

CPM Client City of San Jose Files Motion to Expedite Federal Appeal Against MLB
01.29.2014

CPM Client City of San Jose Files State Court Action Against MLB and Appeals Antitrust Ruling
01.23.2014

CPM Client San Jose, MLB Argue in Court Over Lawsuit About Proposed A's Move
NBC Bay Area, 10.04.2013

Ready to Play Hardball
San Francisco Magazine, 10.02.2013

CPM Founder Joseph Cotchett, fighting MLB on San Jose's behalf, shines light on injustice
San Jose Mercury News, 07.20.2013

CPM Represents City of San Jose in Complaint Filed Against Major League Baseball for Blocking Relocation of Athletics Baseball Club
06.18.2013

CPM Facilitates \$26M Deal with Hitachi-LG in Disk-Drive Antitrust MDL
Law360, 01.18.2013

CPM Victory for Clients: Kuehne & Nagel Pays \$28M To End Cargo Price-Fixing Claims
Law360, 09.14.2012

CPM Represents Plaintiff Consumers, Panasonic To Pay \$17.5M To Settle CRT Antitrust MDL
07.06.2012

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CPM Represents Plaintiffs; Webkinz Maker To Pay \$2.5M To End Antitrust MDL
06.25.2012

CPM Represents Plaintiffs, Nishi Rail Pays Over \$20M To Exit Freight Price-Fixing Suit
06.2012

CPM Represents Plaintiff; Hitachi, Renesas Settle Price-Fixing Suit Over Patent Deals
06.05.2012

CPM Founder Cotchett Named 2011 Antitrust Lawyer of the Year

As CPM Represents Class Members, Final Approval of \$77 Million Settlement Granted in SRAM Case
06.30.2011

SRAM Motion for Class Certification Granted; Cotchett, Pitre & McCarthy Appointed Lead Counsel
09.29.2008

CPM Named as a Top 10 Litigation Practice in Northern California
2008

Publications

Misconceptions About Privilege Relating to Everyday Agreements
Global Private Litigation Bulletin, Global Private Litigation Committee, Section of Antitrust Law, American Bar Association, 03.2018

Indirect Purchaser and Litigation Handbook
Section of Antitrust Law, ABA Book Publishing, 2016

Trial Structure in an Intricate Antitrust Reality
Trying Antitrust, Trial Practice Committee Newsletter, American Bar Association, Winter 2015

Recoveries for Violations of Federal and California Antitrust Statutes Should Not Be Apportioned
Competition, Antitrust and Unfair Competition Law Section, California State Bar, Fall 2014

Antitrust Whistle-Blowers Get Clarity
Daily Journal, 09.16.2013