

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

11.03.2014

Cotchett, Pitre & McCarthy has won a landmark decision affirming the right of consumers to sue airlines for price-fixing, which causes the price of airline tickets to be artificially inflated. On September 23, 2014, United States District Court Judge Charles R. Breyer issued an order granting in part and denying in part Defendants' motion for summary judgment. *See In re Transpacific Passenger Air Transportation Antitrust Litigation*, 2014 U.S. Dist. LEXIS 134104 (N.D. Cal. Sept. 23, 2014).

In a significant win for cash-strapped consumers, Judge Breyer found the near century-old "filed-rate doctrine" did not bar price-fixing claims for the airlines' collusion on fuel surcharges and a subset of discount fares – so-called "ethnic fares." The win is all the more noteworthy because the filed-rate doctrine is often utilized by companies engaged in price-fixing to prevent the people most injured by their illegal conduct from receiving damages. Judge Breyer's decision helps ensure that consumers will get their day in court to recover these unlawful overcharges.

Anticompetitive conduct strikes at the heart of a properly functioning market-economy. CPM prosecutes high-stakes, complex antitrust litigation against cartels and monopolies on behalf of injured consumers, businesses, pension funds, unions and others.

Attorneys

Adam J. Zapala

Practice Areas

Antitrust & Global Competition