

Competition Group Of The Year: Morgan Lewis

By **Aebra Coe**

Law360, Grand Rapids (January 19, 2018, 4:00 PM EST) -- Morgan Lewis & Bockius LLP's antitrust attorneys have reeled in a number of trophy-sized victories over the past year, winning dismissal of multidistrict and class action litigation against major corporations like Shell, Uber and Comcast to earn the group a spot among Law360's Competition Practice Groups of the Year.

In addition to a string of major class action litigation wins for big-time clients, the law firm also defended clients in challenges brought by regulatory agencies like the U.S. Federal Trade Commission and navigated the antitrust implications of clients' mergers and acquisitions.

"We really did have a big year in 2017 and had some real success for our clients, cutting across different industries and different courts. We're very pleased," Steve Reed, practice group leader of the firm's global antitrust and competition law practice, said.

A little over three years ago, the team expanded dramatically when Morgan Lewis took on more than 750 lawyers, legal professionals and staff from the now-dissolved Bingham McCutchen LLP law firm. In 2017, that expansion came to "fruition" with a number of high profile victories, Reed explained.

"Taking on the talent from Bingham was transformative, particularly for our antitrust practice," he said. "The two groups, now one integrated group, brought complementary skills, strong backgrounds, and we're seeing that now in year three, really come to fruition."

The law firm now has 57 antitrust lawyers, including 31 partners, that belong to its competition group. Additionally, it has more than 125 lawyers throughout the firm with broad antitrust and competition law experience in its Boston, Brussels, Chicago, Dallas, Frankfurt, Hong Kong, London, Moscow, New York, Philadelphia, San Francisco, Shanghai, Silicon Valley, Wilmington, and Washington, D.C., offices.

"We've been very fortunate to be engaged by some great clients in some interesting matters and we got some great results," Reed said.

Chief among the firms' triumphs on the litigation front this past year was a judge's dismissal in June of all claims against two Royal Dutch Shell subsidiaries in multidistrict litigation that had consolidated 15



class actions challenging the integrity of the mechanism for pricing much of the world's crude oil.

The putative classes of derivatives traders and landowners alleged the defendants collusively manipulated a key price-setting benchmark in violation of the Sherman Act and the Commodity Exchange Act.

Morgan Lewis attorneys achieved dismissal at the district court by arguing that the court could not exercise specific personal jurisdiction over the London-based unit of Shell, Shell International Trading and Shipping Co. Ltd.

According to Reed, the law firm pulled together a team of attorneys to work on the case from across a number of offices, including New York, Philadelphia and Washington, D.C.

"One of the approaches we've found works very well for us and has led to great results is we put together teams across offices to bring people together who have the most relevant, substantive experience and industry knowledge," Reed said.

The group took a similar approach in another big litigation win this past year. In March, Morgan Lewis attorneys secured dismissal with prejudice of a closely watched case against Uber in Pennsylvania federal court.

The Philadelphia Taxi Association and dozens of its members asserted claims against the rideshare company for attempted monopolization under the Sherman Act. According to Reed, the law firm assembled a team of attorneys from its Philadelphia and San Francisco offices to tackle the case.

The court concluded that the plaintiffs failed to identify any negative impact that Uber's presence in the marketplace has had on the price, quality, or quantity of taxicab or vehicle-for-hire services.

"Uber has been subjected to similar challenges all over the world, so we think this was a good win for our client," Reed said.

The law firm used a comparable strategy when approaching other big matters over the past year, Reed said, including its work defending interdealer broker TP ICAP against claims it engaged in a conspiracy to increase pricing for interest rate swap trading, the law firm's representation of Comcast in litigation accusing the company of conspiring with two large rival cable installers to foreclose competition in the market, and its efforts defending Shire ViroPharma Inc. and Qualcomm Inc. in lawsuits filed by the FTC.

When asked what he sees as the team's biggest strength, Reed says "collaboration."

"This is a group that works well together," he said. "Because of the depth of the bench, we're able to tap into people with a broad range of experience. We have people who have worked in government, in-house, focused on a variety of industries, who tend to like each other and work well together."

--Editing by Emily Kokoll.