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ANTITRUST

Straightforward Solutions to Complex Antitrust Matters

- We represent companies in civil and criminal antitrust matters, in state and federal courts and before administrative agencies
- We have experience in antitrust cases involving numerous industries, ranging from construction and manufacturing to technology and health care
- We staff antitrust cases leanly and efficiently with small teams of experienced lawyers
- Our focus in antitrust cases is to reach a resolution that meets our client's business objectives as efficiently as possible

HIGH STAKES

Almost invariably, antitrust matters present high-stakes issues that—if not handled properly—can overwhelm a company with their scope, their expense, and their consequences. Our experience with such matters—both as advisors and as litigators—and our direct-approach philosophy helps us lead clients through the antitrust thicket.

We represent companies in civil and criminal antitrust matters. We practice in state and federal courts and before regulatory agencies, and we provide ongoing counseling to help clients ensure that their business practices are in compliance with state and federal antitrust laws. Our clients are involved in large, complex class actions and in single-plaintiff or single-defendant lawsuits. Our practice is national in scope, and our clients operate in a wide variety of industries and markets, including transportation, construction, sports and entertainment, distribution, healthcare, carpet, insurance, technology, and metal products. Our lawyers are not only well credentialed and experienced, they have been recognized by their peers and by leading publications as leaders in the antitrust field. But our lawyers are, above all, business lawyers, who take the time to familiarize themselves with their clients' businesses, the industries within which their clients operate, and the effect that antitrust issues have on their clients' larger strategic objectives.

OUR DIRECT APPROACH - A SOLUTION-ORIENTED, PRACTICAL APPROACH TO ANTITRUST LITIGATION

Almost any antitrust case has the potential to overwhelm a company. Discovery is often very broad—and very document intensive—and the

factual and legal issues are often very complex. Companies may face simultaneous civil and criminal cases, which further complicates the strategic decisions that must be made in both. Unless counsel invests the time up front to analyze the issues and home in on those that are the most important the client's costs can quickly spiral out of control.

Our direct approach to litigation is designed to avoid this potential mess. Like our other litigation practices, we staff antitrust cases as leanly as the cases will allow—often with just one or two partners and one or two associates, plus the necessary support staff. Our partners are heavily involved in the day-to-day litigation of their cases and are readily accessible to clients. We evaluate a case thoroughly up front, with an eye towards identifying the issues and projects that will provide the most benefit to our client at the lowest cost. We have a highly skilled in-house technology team, whose knowledge of and experience with the latest case-management tools help us avoid using outside vendors unless doing so is absolutely necessary. All of these factors allow us to focus our time and energy on the issues that are most likely to resolve a case favorably for our clients—and to do so without breaking the client's bank.

A CREATIVE APPROACH TO DISCOVERY YIELDS EARLY DISMISSAL FOR OUR CLIENT

- **Our Client:** A prominent sports and entertainment company.
- **The Challenge:** Our client was named as a defendant in a federal price-fixing action and faced a potentially very long, very expensive, and very fact-intensive litigation.
- **The Outcome:** The plaintiffs' rationale for naming our client as a defendant was dubious, at best. We therefore coupled the threat of an affirmative Rule 11 attack on the plaintiffs' complaint with a willingness to provide outside-of-the-rules voluntary discovery that demonstrated to the plaintiffs that they could not succeed against our client. The plaintiffs agreed to dismiss our client from the case, thus saving our client an enormous amount of money.
- **Our approach and staffing:** We leveraged a wide array of skills and expertise to reach what our client viewed as a very successful result. Our substantial experience with antitrust matters allowed us to identify the weaknesses in the plaintiffs' claims quickly. Our credibility among our peers, combined with our and our client's willingness to act affirmatively by providing discovery voluntarily—and by threatening a Rule 11 motion—allowed us to convince the plaintiffs that they had no case against our



client. And our lean approach to staffing allowed us to accomplish all of this at a low cost to our client.