

## Three Victories Secured for WilmerHale's Client Odfjell ASA

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WilmerHale recently won three important victories for its client, Odfjell ASA, in civil disputes arising in connection with the US Department of Justice's antitrust investigation of the parcel tanker shipping industry.

In January, WilmerHale convinced Fleurchem Inc., to dismiss with prejudice a putative class action against Odfjell and three other shipping companies brought on behalf of all indirect purchasers of the defendants' shipping services nationwide. The court previously held that the relationship between Fleurchem and the shipping companies was sufficiently close that Fleurchem might be required to arbitrate its dispute under the arbitration provisions in the shipping contracts. The court ordered discovery of Fleurchem and its chemical purchases to sort out the jurisdictional issue.

On March 7, WilmerHale won a motion to dismiss all claims in an indirect purchaser putative class action against Odfjell and three other shipping companies pending in Tennessee state court. The plaintiff claimed that he paid an inflated price for Prestone antifreeze because of an alleged conspiracy among the shipping companies to allocate customers and fix prices for shipping liquid chemicals.

On March 12, WilmerHale prevailed on the reconsideration of a motion to dismiss a predatory pricing case against Odfjell and three other shipping companies brought by the trustee in bankruptcy for a former competitor shipping company. The trustee claimed that Odfjell and the other defendants engaged in a predatory pricing conspiracy to drive the competitor out of business. The district court rejected WilmerHale's original motion to dismiss, but the firm moved for reconsideration following the Supreme Court's ruling in *Bell Atlantic Corp. v. Twombly*.

WilmerHale took the lead on these matters. The firm's team included [Steve Cherry](#), [Leon Greenfield](#), Gordon Pearson and David Olsky.