
Cartel Enforcement

Antitrust and Competition

WilmerHale's Cartel Enforcement Practice is an integral part of our Antitrust and Competition Practice—one of the premier such practices in the United States and Europe. Whether seeking and obtaining leniency or contesting allegations, we have substantial experience handling US Department of Justice (DOJ), European Commission (EC) and European national authority cartel investigations and related litigation. Our cartel practice includes preventive compliance counseling through internal investigation and counseling when questions arise, dealing with the antitrust authorities to avoid or minimize liability, criminal and private litigation, and appeals.

In many cases, cartel investigations are coordinated among authorities in multiple jurisdictions. Our lawyers bring unique experience and insight to these investigations, and to the workings of the antitrust agencies in most jurisdictions actively involved in cartel enforcement—including Canada, Brazil, Mexico, Australia, Japan and Korea, among many others. Our lawyers have represented clients in some of the largest and most complex cartel investigations before the DOJ, where we represent companies and individuals, and before the EC and European national authorities such as the United Kingdom, Germany, Italy and Benelux.

Our firm has advised and represented clients in many of the largest cartel cases in key industries, including auto parts, air cargo, TFT-LCD flat panel, bearings, capacitors, Libor, municipal derivatives, forex, credit default swaps, auto glass, parcel tanker, oil and gas, soda ash, bathroom fixtures, flour milling, graphite electrodes, pre-insulated heating pipe, industrial tubes, copper plumbing tubes, vitamins, and synthetic rubber.

Our Berlin and Brussels offices have been involved in most of the major investigations by the German Federal Cartel Office. And we have an extensive cartel litigation practice, encompassing private antitrust damage litigation in the United States and appeals in the European courts.

Experience

Securing a precedent-setting victory, with co-counsel Morgan Lewis, for client DaVita in the first-ever trial of a criminal labor market allocation case brought by the Department of Justice.

Representing Japanese auto parts manufacturer DENSO and its US subsidiary in a criminal antitrust investigation and civil class action litigation. We secured a favorable settlement on behalf of DENSO with the DOJ in the largest antitrust investigation in US history.

Obtaining leniency in the United States, EC and other jurisdictions for a major European air cargo carrier and defending it in the treble damage class action litigations filed in the wake of the DOJ investigation.

Representing a TFT-LCD manufacturer in a DOJ investigation and in related private treble damage class action litigations.

Representing a major Norwegian shipping company in securing a substantial downward departure for its “exemplary cooperation” in a US antitrust grand jury investigation.

Representing one of the appellants in the EC’s landmark Cement Cartel case, which concerned procedural and substantive issues in cartel enforcement. We obtained annulment of the fine that had been imposed on our client.

Representing a Finnish producer in the Industrial Tubes and Copper Plumbing Tubes cases, obtaining 70% reductions in the fines imposed.