



Sherman Section 1 Update: Pleading/Proving Horizontal Conspiracy

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from Cafferty Clobes Meriwether & Sprengel LLP



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Case	Court	Date	MTD/SJ Standard	Direct Evidence	Parallel Conduct	General	Market Structure	Public Statements	Actions Against Interest	Opportunity to Conspire	Interfirm Communications	Prior Conduct/Investigations	Economic Evidence	Plus Factor	
														Pro Plaintiff	Pro Defendant
New Cases Above the Line															
Legend: Pro Plaintiff ■ Pro Defendant ■															
Distance Lrn. v. Maynard 2020 WL 2995529	N.D. Cal.	06/04/20	MTD												
Allianz v. Bank of America 2020 WL 2765693	S.D.N.Y.	05/28/20	MTD												
D&M Farms v. Birdsong 2020 WL 2501444	E.D. Va.	05/14/20	MTD												
In re Mylan N.V. 2020 WL 1673811	S.D.N.Y.	04/06/20	MTD												
Wash. Cnty. v. Baxter 2020 WL 1666454	N.D. Ill.	04/03/20	MTD												
In re German Auto. 2020 WL 1542373	N.D. Cal.	03/31/20	MTD												
Miami Prods. V. Olin 2020 WL 1482139	W.D.N.Y.	03/27/20	MTD												
In re ICE LIBOR 2020 WL 1467354	S.D.N.Y.	03/26/20	MTD												
Kerwin v. Parx Casino 802 Fed. Appx. 723	3rd Cir.	03/18/20	MTD												
In re Diisocyanates 2020 WL 1140244	W.D. Pa.	03/09/20	MTD												
Auto. Align. v. State Farm 2020 WL 1074420	11th Cir.	03/06/20	MTD												
Staley v. Gilead Sciences 2020 WL 1032320	N.D. Cal.	03/03/20	MTD												
Frost v. LG Electronics 2020 WL 1028056	9th Cir.	03/03/20	MTD												
In re Cedar Shakes 2020 WL 832324	W.D. Wash.	02/20/20	MTD												
O.E.M. Glass v. Mygrant 2020 WL 509281	E.D.N.Y.	01/31/20	MTD												
Downtown v. Peloton 2020 WL 469639	S.D.N.Y.	01/29/20	MTD												
Gamm v. Sanderson 2019 WL 6704666	2nd Cir.	12/10/19	MTD												
Barry's...Stores v. Visa 2019 WL 7584728	E.D.N.Y.	11/20/19	MTD												
Rojas v. Delata Airlines 2019 WL 5893025	D. Md.	11/12/19	MTD												

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Sitzer v. NAR 2019 WL 5381984	W.D. Mo.	10/16/19	MTD												
Int'l Constr. V. Caterpillar 419 F.Supp.3d 791	D. Del.	10/10/19	MTD												
In re SSA Bonds 2019 WL 4917608	S.D.N.Y.	10/04/19	MTD												
Travelpass v. Caesars 2019 WL 427425	E.D. Tex.	09/27/19	MTD												
Reapers v. Amateur Hky. 2019 WL 4694941	N.D. Ill.	09/26/19	MTD												
Pro Slab v. Argos USA 2019 WL 4544086	D.S.C.	09/19/19	MTD												
In re Inter. Molded Doors 2019 WL 4478734	E.D. Va.	09/18/19	MTD												
Jones v. Micron Tech. 2019 WL 4232417	N.D. Cal.	09/03/19	MTD												
Travelpass v. Caesars 2019 WL 5691996	E.D. Tex.	08/29/19	MTD												
In re GSE Bonds 2019 WL 4071070	S.D.N.Y.	08/29/19	MTD												
Caruso v. Int'l Council 2019 WL 4296860	S.D.N.Y.	08/23/19	SJ												
In re Generic Pharm. 2019 WL 3842901	E.D. Pa.	08/15/19	MTD												
Home Depot v. DuPont 2019 WL 3804667	N.D. Cal.	08/13/19	SJ												
In re Zetia (Ezetimibe) 2019 WL 3761680	E.D. Va.	08/09/19	MTD												
In re Pork Antitrust Litig. 2019 WL 3752497	D. Minn.	08/08/19	MTD												
Tera v. Citigroup 2019 WL 3457242	S.D.N.Y.	07/30/19	MTD												
Llacua v. Western Range 2019 WL 3137227	10th Cir.	07/16/19	MTD												
Alarm v. Schaumburg 2019 WL 3071744	7th Cir.	07/15/19	MTD												
Sheahan v. State Farm 2019 WL 2775647	N.D. Cal.	07/02/19	MTD												
In re Generic Pharm. 2019 WL 2615592	E.D. Pa.	06/26/19	MTD												
In re Railway Indus. Emp. 2019 WL 2542241	W.D. Pa.	06/20/19	MTD												
In re German Auto. 2019 WL 2509771	N.D. Cal.	06/17/19	MTD												
Kjessler v. Zaappaaz, Inc. 2019 WL 3017132	S.D. Tex.	04/24/19	MTD												
In re Keurig Green Mntn. 2019 WL 1789789	S.D.N.Y.	04/22/19	MTD												
In re Mylan N.V. 2019 WL 1427430	S.D.N.Y.	03/29/19	MTD												
Tichy v. Hyatt Hotels 2019 WL 1318674	N.D. Ill.	03/22/19	MTD												
Freedom Watch v. Google 2019 WL 1201549	D.D.C.	03/14/19	MTD												

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Kerwin v. Parx Casino 2019 WL 1098949	E.D. Pa.	03/08/19	MTD													
Cedra v. UnitedHealth 2019 WL 1433600	S.D. Tex.	03/07/19	MTD													
Markson v. CRST Int'l 2019 WL 6354400	C.D. Cal.	03/07/19	MTD													
Quality Auto v. State Farm 2019 WL 1006973	11th Cir.	03/04/19	MTD													
Allen v. Verizon 2019 WL 399922	D.N.J.	01/31/19	MTD													
In re Dealer Mgmt. Sys. 2019 WL 331257	N.D. Ill.	01/25/19	MTD													
In re Dealer Mgmt. Sys. 2019 WL 330472	N.D. Ill.	01/25/19	MTD													
In re Dealer Mgmt. Sys. 2019 WL 334340	N.D. Ill.	01/25/19	MTD													
Brown v. 140 NM LLC 2019 WL 118425	N.D. Cal.	01/07/19	MTD													