

Transpacific

Related Lawyers: **Michael P. Lehmann, Christopher L. Lebsock, Seth R. Gassman**

Related Practice Areas: **Antitrust / Competition**

In re: Transpacific Passenger Air Transportation Antitrust Litigation, MDL 1913, U.S.D.C. -

Hausfeld has been appointed co-lead counsel for a putative class of direct purchaser plaintiffs in this antitrust class action alleging a conspiracy by airlines to fix the prices of passenger fares and/or fuel surcharges for trans-Pacific air passenger transportation services to and from the United States in violation of the federal Sherman Act. The defendants include the airlines Air New Zealand, All Nippon Airways (“ANA”), Cathay Pacific, China Airlines, EVA Airways, Japan Airlines (“JAL”), Malaysia Airline System Berhad, Qantas, Singapore Airlines, and Thai Airways. The firm’s clients are international airline passengers who directly purchased tickets for air passenger travel from one or more of the defendants.

Numerous novel and complex legal arguments were advanced by both the plaintiffs and the defendants in this case, resulting in a clarification for the antitrust bar concerning the reach of the Sherman Act to foreign conduct and pre-emption defenses arising from foreign regulatory action, a published opinion from the Ninth Circuit concerning doctrines of regulatory pre-emption and the filed rate doctrine, and an opinion from the Ninth Circuit concerning the duties of counsel to the class and segments of the class. Defendant All Nippon Airways Co. unsuccessfully attempted to overturn the Ninth Circuit’s filed rate decision in the United States Supreme Court.

The case resulted \$148 million in total settlements, including \$58 million settlement from the final defendant, All Nippon Airways Co., reached in February 2019.