

Won Important Dismissal of Sherman Act Claims Against Actors' Equity on Statutory Labor Exemption Grounds

APRIL 28, 2023

Defended Actors' Equity ("Equity")—a union representing actors in Broadway theaters—in a case filed in the Southern District of New York by Garth Drabinsky, the lead creative producer for Paradise Square. Drabinsky was placed on the union's "Do Not Work List" and alleged that his placement on the list constituted a group boycott in violation of Sherman Act Sections 1 and 2. We moved to dismiss the first amended complaint in early 2023. In April 2023, Judge Schofield granted Equity's motion and applied the statutory labor exemption to shield the union's conduct. The judge also dismissed all other claims in the case, with prejudice. This win was [recognized by Am Law with a Litigator of the Week Shout Out](#).

This ruling is important not only for Equity but for *all* unions and labor groups facing antitrust claims as it confirms the broad protections unions enjoy when they act in their self-interest and not in combination with non-labor groups.

1 Min Read

Related Capabilities

Antitrust/Competition

Related Professionals



Dave Greenspan



Jeffrey Kessler



Sarah L. Viebrock



Gabi Wolk