



Court Dismisses Ro-Ro Class Action as Preempted by Shipping Act

AUGUST 28, 2015

On August 28, 2015, the United States District Court for the District of New Jersey dismissed the consolidated class action complaint filed on behalf of purchasers of vehicle carrier services against numerous ro-ro carriers alleging price fixing, market allocation, and capacity restrictions in violation of the Clayton Act, Sherman Act, and state antitrust laws.

Although the plaintiffs conceded that claims relating to price fixing and market allocation were subject to the Shipping Act, plaintiffs argued that the capacity restrictions were not covered by the Act and were therefore properly brought under the other statutes. Judge Salas disagreed, finding that capacity restriction agreements fall squarely within the Shipping Act and must be filed with the Federal Maritime Commission. *In re Vehicle Carrier Services Antitrust Litigation*, No. 13-3306 (ES).

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