

Pleading and Defending Coordinated Conduct Claims

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From rumor to theory to formal complaint, the development of an antitrust case is a rigorous process that often entails painstaking investigation and the marshalling of complicated facts into a coherent and concise legal theory. Typically, however, evidence of unlawful coordinated conduct is in the sole possession of the defendant.

How then can a private plaintiff plead sufficient facts to “nudge a claim across the line from conceivable to plausible” in order to survive a motion to dismiss and move on to (often, massive) discovery? How does a defendant successfully obtain dismissal in order to avoid long, protracted (read: expensive) litigation?

On February 26, Winston & Strawn Partner Sofia Arguello joined a panel of experienced antitrust practitioners from both the “v,” as well as an expert economist, who shared their experiences and insights on navigating the first major hurdle in antitrust litigation: the motion to dismiss.

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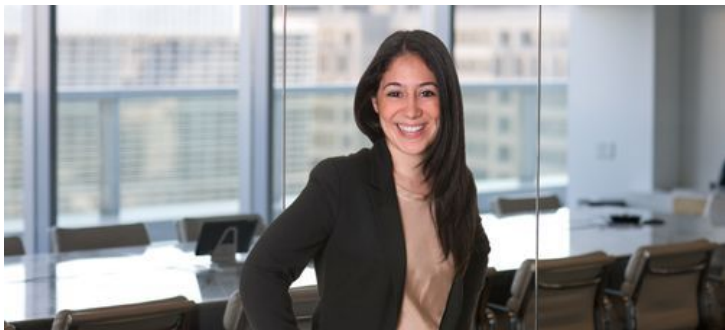
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