

DEPARTMENT OF JUSTICE ANTITRUST INVESTIGATION RELATING TO ACQUISITION OF EUROPEAN CHEMICAL MANUFACTURING PLANT

Hodgson Russ recently represented a specialty chemical manufacturer in connection with the acquisition of a manufacturing plant in Europe. Although no filing was required under the Hart-Scott-Rodino Act, the Antitrust Division of the U.S. Department of Justice (DOJ) initiated an investigation, just prior to the scheduled closing, as to possible anti-competitive effects on the U.S. market (which was relatively concentrated). Hodgson Russ prepared a detailed response to the DOJ's information demands and questions, counseled our client in connection with interviews, and articulated the client's legal position to the DOJ's staff. The effort was successful, and the investigation was terminated in less than 30 days.

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