

In the News

O'Melveny's Representation of Agrium in Potash Cartel Suit Reported in Law360

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O'Melveny's role defending international potash producer Agrium against price-fixing allegations was noted in coverage of the case by *Law360*.

In a February 8, 2012 article, "Potash Cartel Suit Fails Under FTAIA, Atty Tells 7th Circ.," *Law360* covered arguments during an en banc hearing before the US Court of Appeals for the Seventh Circuit in the matter. In September 2011, a three-judge Seventh Circuit panel tossed out the case, finding that the plaintiffs — mostly fertilizer companies — had not established a sufficient connection between the alleged plot involving foreign producers and the US potash market to satisfy the requirements of the Foreign Trade Antitrust Improvements Act, according to the online legal newsletter. An attorney for one of Agrium's co-defendants told the judges that a price-fixing class action should not be revived, because it involves foreign commerce that can't be touched by the plaintiffs' US antitrust claims, *Law360* reported.