MS Supreme Court Affirms Complete Dismissal of Alleged Price-Fixing Case

On April 30, 2020, the Mississippi Supreme Court affirmed the complete dismissal of claims against clients represented by FormanWatkins attorneys Fred Krutz and Daniel Mulholland in a case brought by the Attorney General of Mississippi regarding alleged price-fixing of Automotive Wire Harness Systems used in automobiles. The State sued several companies alleging violations of the Mississippi Consumer Protection Act ("MCPA"), the Mississippi Antitrust Act ("MAA"), and a civil conspiracy to violate both Acts. FormanWatkins, in conjunction with counsel for other defendants, convinced trial Judge Cynthia L. Brewer that not only did the court lack personal jurisdiction over FormanWatkins' clients, but that the State's complaint failed to state a claim in its entirety. Specifically, Judge Brewer agreed the unfair trade practices alleged by the State were too remote in time to support a claim under the MCPA, that the complaint failed to allege a "wholly intrastate" transaction necessary under the MAA, and there could be no civil conspiracy claims without an underlying violation of either Act. On appeal, the Mississippi Supreme Court disagreed with the Attorney General's arguments of error and affirmed the complete dismissal of the complaint.