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Supreme Court Rules in Favor of Weyerhaeuser in Predatory Bidding Case

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The Supreme Court, in a unanimous opinion, ruled in favor of our client, Weyerhaeuser, and reversed the Ninth Circuit's affirmance of a jury verdict that Weyerhaeuser had monopolized the market for alder saw logs by paying too high a price for alder saw logs in order to injure its competitors. The Supreme Court held that the Brooke Group two-pronged test for a predatory pricing claim should apply equally to a predatory bidding claim, as was alleged here. This is the first time that the Court considered the appropriate standard for judging the legality of a predatory bidding claim. We represent Weyerhaeuser in this case and several others that were filed in the aftermath of the jury verdict. Simpson Thacher attorneys working on this case include Kevin Arquit, Joe Tringali, Arman Oruc and John Anderson.

