U.S. Court of Appeals Rejects Antitrust Challenge to AT&T-Time Warner Merger

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The Antitrust Division of the U.S. Department of Justice ("DOJ") lost its appellate court challenge to AT&T Inc.'s ("AT&T") acquisition of Time Warner. A three-judge panel unanimously affirmed the trial court's decision, which allowed the proposed merger to move forward. The United States Court of Appeals for the District of Columbia Circuit (the "Court of Appeals") found that District Judge Richard J. Leon did not make a clear error in ruling that the government failed to establish that the proposed combination was likely to lessen competition. The Court of Appeals found the DOJ's arguments "unpersuasive" as a whole. It is reported that the government will not seek Supreme Court review.

Attached please find the memorandum discussing the Appeal.

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