Court Examines Premerger Conduct and Information Exchanges

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A district court ruled that information exchanged between insurance companies during merger negotiations and the parties' conduct before they merged did not restrain trade in violation of the Sherman Act. The U.S. Court of Appeals for the Second Circuit decided that an arbitration clause precluding the pursuit of antitrust claims as a class was unenforceable. Other recent antitrust developments of note included a decision by the U.S. Court of Appeals for the Ninth Circuit dismissing claims that a social networking Web site monopolized the market by not allowing links to a rival Web site.