

## Sports and Labor Monopsonies: Learning from the Pros

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### ATTORNEYS

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### PRACTICE AREAS

Antitrust

Axinn partner Nick Gaglio co-authored, "Sports and Labor Monopsonies: Learning from the Pros," for the Fall 2018 edition of *Monopoly Matters*, the ABA Section of Antitrust Law Unilateral Conduct Committee newsletter.

The article discusses how courts treat labor monopsony claims in sports leagues. It identifies a distinction between traditional cartel-like behavior at the league level and the seemingly rarer unilateral conduct for leagues like the Ultimate Fighting Championship, and then makes two observations. First, courts tend to focus on the upstream effects of labor or wage suppression in cases arising from concerted conduct. And second, there is precedent suggesting that antitrust claims alleging unilateral harm to labor require proof of downstream anticompetitive harm.

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